

**IBERIA AND THE  
MEDITERRANEAN WORLD  
OF THE MIDDLE AGES**

THE  
MEDIEVAL MEDITERRANEAN  
PEOPLES, ECONOMIES AND CULTURES, 400-1453

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VOLUME 8







Robert I. Burns, S.J. (Photographer: Imogen Cunningham)

*This photograph was taken, as I recall in 1975, and appears in the Catholic Historical Review as the presidential portrait that year or the next. This was one of Imogen Cunningham's last photographs, since she died in June 1976 at the age of ninety-three. She began her career with the great "Indians" photographer Edward S. Curtis, and was a close colleague of Ansel Adams, and herself is one of the "greats". She did this photograph largely as a favor, and very informally in her living room.*

*15 June 1996*

*Robert I. Burns, S.J.*



# IBERIA AND THE MEDITERRANEAN WORLD OF THE MIDDLE AGES

*Essays in Honor of Robert I. Burns S.J.*

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P. E. CHEVEDDEN,  
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his death in 1405. The main beam, counterweight box, sling, projectile, trough, windlass and framework are all clearly visible. The machine has some of its dimensions numbered; the long arm of the beam is forty-six feet, and the short arm eight. The prong at the end of the long arm, which is essential for the release of the sling, is not depicted. Instead, both cords of the sling are incorrectly shown as being attached to a ring at the extremity of the long arm. This massive machine used a simple peg-and-hole catch-and-trigger device to retain and release the beam. A hole is drilled in the base of one of the triangular trestles of the machine, shown in the foreground, for the insertion of a peg. A restraining rope, attached to the base of the other triangular trestle is drawn over the long arm of the beam at a point just above the windlass and is looped over the bottom end of the peg. When the peg is lifted out of its socket, the looped end of the rope is released, and the beam flies free. Trebuchet beams were often banded circumferentially with iron (as shown in the illustration), or lashed with rope, to help them withstand splitting. This type of machine was identified in Arabic historical sources as the Western Islamic trebuchet (*manjanīq maghribī*). Germany, Göttingen, Universitätsbibliothek, Cod. MS philos. 63, fol. 30r.

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## ABBREVIATIONS

<i>Annales</i>	<i>Annales: économies, société, civilizations</i>
ACA	Arxiu de la Corona d'Aragó, Barcelona
ACP	Archivo Capitular, Palma de Mallorca
<i>AEM</i>	<i>Anuario de Estudios Medievales</i>
<i>AHDE</i>	<i>Anuario de Historia del Derecho Español</i>
AHN	Archivo Histórico Nacional, Madrid
<i>AHR</i>	<i>American Historical Review</i>
ARM	Arxiu del Regne de Mallorca, Palma de Mallorca
ARV	Arxiu del Regne de Valencia, Valencia
ASG	Archivio di Stato, Genoa
ASP	Archivio di Stato de Firenze, sezione de Prato, Florence
ASPP	Arxiu de Sant Pere de les Puel·les, Barcelona
<i>BAE</i>	<i>Biblioteca de Autores Españoles</i>
BN	Biblioteca Nacional, Madrid
<i>BRABLB</i>	<i>Boletín de Real Academia de Buenas Letras de Barcelona</i>
<i>BRAH</i>	<i>Boletín de Real Academia de Historia</i>
CAVC	<i>Colección de los cortes de los antiguos reinos de Aragón y de Valencia y el principado de Cataluña.</i>
<i>CAX</i>	<i>Crónica del Rey Don Alfonso X [BAE 66]</i>
CDACA	<i>Colección inéditos del Archivo General de la Corona de Aragón</i>
CHCA	<i>Congrés d'Història de la Corona d'Aragó. [number indicated in Roman numerals]</i>
<i>CHE</i>	<i>Cuadernos de Historia de España</i>
<i>CHR</i>	<i>Catholic Historical Review</i>
<i>CSSH</i>	<i>Comparative Studies in Society and History</i>
DCVB	<i>Diccionari Català-valencià-balears.</i>
<i>DJ</i>	<i>Documentos de Jaime I</i>
<i>EEMCA</i>	<i>Estudios de Edad Media de la Corona de Aragón</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>EHSE</i>	<i>Estudios de Historia Social de España</i>
<i>ES</i>	<i>España Sagrada</i>
f.; ff.	folio; folios
<i>GAKS</i>	<i>Gesammelte Aufsätze zur Kulturgeschichte Spaniens</i>
<i>HAHR</i>	<i>Hispanic American Historical Review</i>
<i>JAH</i>	<i>Journal of African History</i>
<i>LF</i>	<i>Llibre dels Feys</i>
<i>LFM</i>	<i>Liber Feudorum Maior</i> , ed. Miquel Rossel
<i>Marca</i>	<i>Marca Hispanica</i>
<i>MHE</i>	<i>Memorial Histórico Español</i>
MS; MSS.	manuscript, manuscripts
<i>PHR</i>	<i>Pacific Historical Review</i>
<i>PNQ</i>	<i>Pacific Northwest Quarterly</i>
<i>RABM</i>	<i>Revista de Archivos Bibliotecas y Museos</i>
R.	Register
<i>SAA</i>	<i>Sharq Al-Andalus</i>





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*Compiled by*

Paul G. Padilla



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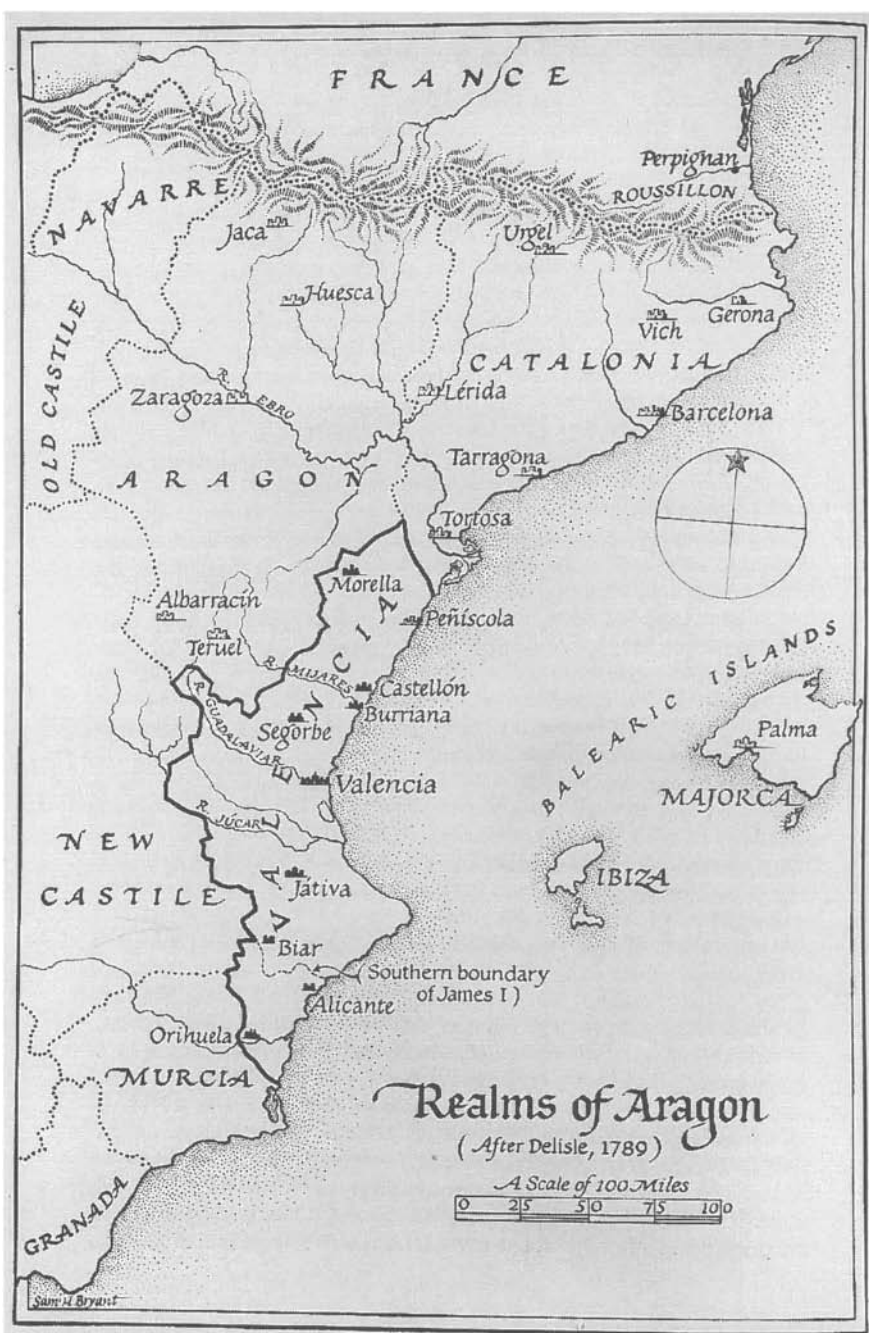
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## INTRODUCTION

Littered with the historical relics of over two millennia of civilization, the Mediterranean of today is a tourist destination of the first order. Below the detritus of modern times, Mediterranean societies function very much as they did in ancient and medieval times. The very geography of the Mediterranean basin guarantees such a continuum. Ringed by such natural barriers as coastal mountains or wide deserts, the countries bordering the Mediterranean were until very recently divided into clearly discernible zones; that of, the rural hinterland and urban littoral. The common denominator has always been the sea itself. This veritable “nursery of mariners”, in Joseph Conrad’s words, has long served as an avenue of commerce, but also a medium for the transport of ideas, customs and religions.<sup>1</sup> Port cities, from Barcelona and Valencia on the Spanish *Levante* to Naples and Palermo on the Tyrrhenian Sea to Venice, Trieste and Ragusa on the Adriatic to Tunis, Algiers and Tangiers on the North African coast, all acted as purveyors and receivers of intellectual and religious commerce. As centers of this Mediterranean cosmopolitanism and the wealth it was based on, these great port cities became the nuclei of royal power and aspirations. In many ways, they set the tone for the larger societies which would develop around them.<sup>2</sup>

The geographical constants of the Mediterranean basin—fairly predictable sailing conditions, good ports and a rich hinterland—has allowed for the rapid formation of Mediterranean empires and the equally rapid destruction of such political structures by rival powers. As Julian Pitts-Rivers has observed, the Mediterranean’s “geographical form favors unification by military force”.<sup>3</sup> The most successful of such conquerors were clearly the Romans who not only won all the lands washed by the Mediterranean, but incorporated the sea in a nexus of territorial and administrative divisions, which would affect the perception of the region for centuries to come. With the Empire,

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<sup>1</sup> André Siegfried, *The Mediterranean*, trans. Doris Hemming (New York, 1947), 54.

<sup>2</sup> Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans. Sian Reynolds, 2 vols. (1966; New York, 1972), 1:125–6, 316–7.

<sup>3</sup> *Mediterranean Countrymen. Essays in the Social Anthropology of the Mediterranean*, ed. Julian Pitt-Rivers (Paris, 1963), 11.

even the unity of the Mediterranean became subject to official fiat, when such emperors as Diocletian (284–305) divided the sea and its surrounding lands into two jurisdictional units—one eastern, one western.<sup>4</sup> The latter, bounded by Spain, Gaul, Italy, the Danubian provinces and Asia Minor, comprises much of the land mass of modern Europe and has been an arena for events essential to continental development for the last two millennia. The significance of the western Mediterranean, with special emphasis on the Spanish littoral, will be the focus of this series of studies in honor of one of America's premier medievalists, Robert Ignatius Burns, S.J. The papers were first delivered at a conference sponsored by the *Center for Medieval and Renaissance Studies* of the University of California, Los Angeles on October 26–7, 1992.

The starting point for all the essays in this volume, no matter their actual destination, will be the Crusader Kingdom of Valencia. The proper bailiwick of Father Burns by his three decades of research and publication on the region, Valencia is also a mirror of other Western Mediterranean societies. Surrounded by a verdant *huerta* praised by Andalusian poets as the “dwelling place of all beauty”, the real seat of power emerged in Valencia and in other port cities of the kingdom's long and regular coastline.<sup>5</sup> Despite the importance of Valencian urbanism, the region, like the rest of the Mediterranean lands of the High Middle Ages, was a “frontier society”.<sup>6</sup> In reality, Valencia was home to a number of frontiers conditioned by the very contours of the land and a long history of conquest and reconquest. The rugged no-man's land between Christian and Muslim territories produced a dynamic of dangerous opportunity, which eventually allowed the former to conquer the latter. Even after the conquest of Muslim land, frontiers of agricultural and commercial possibility remained both within Valencia and across the Mediterranean.<sup>7</sup>

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<sup>4</sup> A. H. M. Jones, *The Decline of the Ancient World*, (New York, 1966), 28–9; Edward N. Luttwak, *The Grand Strategy of the Roman Empire*, (Baltimore, 1978), 154–5.

<sup>5</sup> Robert W. Keen, “Valencia,” *Historical Dictionary of Modern Spain, 1700–1988*, eds. Robert W. Keen and Meredith D. Dodge (New York, 1990), 513–4.

<sup>6</sup> Robert I. Burns, “The Significance of the Frontier in the Middle Ages,” *Medieval Frontier Societies*, ed. Robert Bartlett and Angus MacKay (Oxford, 1989), 318–20; Lawrence J. McCrank, “The Cistercians of Poblet as Medieval Frontiersmen,” *Estudios en Homenaje a Don Claudio Sánchez Albornoz (CHE: Anejos)*, 6 vols. to date (Buenos Aires, 1983–), 2:355–60.

<sup>7</sup> Robert I. Burns, “Muslims in the Thirteenth-Century Realms of Aragon. Interaction and Reaction,” *Muslims under Latin Rule*, ed. James M. Powell (Princeton, 1990), 57.



Another frontier existed across the chasm of religion, which both divided and connected the three “peoples of the book” who shared the Iberian Peninsula. Even with James I’s completion of the Valencian crusade in 1244, sizeable communities of Jews and Muslims remained. Like many an overseas administrator of the British Empire, James and his successors were forced to balance the land hunger of their own co-religionists against the communal rights of their non-Christian subjects.<sup>8</sup> Slowly, almost imperceptibly, the Crusader Kingdom of Valencia would evolve from being a small colony of Christian overlords in control of an infidel majority into a true society, in which Muslim, Jew and Christian each had a place—one largely defined by the sovereign who ruled them. The resultant Valencian civilization was one which had been, and would be, replicated around the Western Mediterranean orbit. This societal type was “commercial-maritime, affluent both in its port cities and lush agricultural hinterland, a warrior community and, by accident of history, built on Roman law foundations”.<sup>9</sup>

The model of political, economic, social and religious growth which led to the formation of Christian Valencia will also serve to highlight the following essays which deal with medieval societies ranging from Spain to the Dalmatian coast. Thus Valencia was born in the throes of warfare between two faiths, developed along constitutional lines emanating from its colonial past, merged Christian, Jewish and Muslim ways of conducting business and growing crops, and finally tailored Christianity to its frontier outlook. The sections of this volume focus on these economic, religious, political and social aspects of Valencia and other Mediterranean lands. The book’s divisions are: *Robert I. Burns, S.J.: Man of Two Frontiers, Warfare: Foreign and Domestic, Land of the Three Religions, Interaction of Lay and Ecclesiastical Worlds and Urban and Commercial Development.*

While the principal focus of this collection is the emergence and development of the societies of the southern Mediterranean, a dominant sub-theme must be the far seeing and progressive methodology pioneered by Robert I. Burns in the understanding of the medieval and modern frontier. The first section of this collection, consisting solely of an article by Lawrence McCrank, deals with Burns’s dual

<sup>8</sup> Robert I. Burns, S.J., “El naixement d’un poble: el regne de València,” in *Lluís de Santàngel: un nou home, un nou món*, ed. Dolors Bramon (Valencia, 1992), 17.

<sup>9</sup> Burns, “Naixement d’un poble,” 1.

role as ethnologist and historian in both the study of medieval Valencia and of the nineteenth-century Pacific Northwest. McCrank, himself a leading student of the medieval Iberian frontier, contends that much of Burns's methodology—which has long astounded the academic world with its depth and breath of vision in the textual recreation of a medieval Valencian world long dead—was developed in his first historical work, *Jesuits and the Indian Wars of the Northwest*. In this work, there appear all of the hallmarks of Burns's later books; namely, a conscious and often very complex intertwining of the traditional historical method with the disciplines of ethnology, sociology and anthropology. The resultant “documentary archaeology” has given Burns's work a scope which relentlessly poses questions about societies, the political histories of which have long been known. In some way, it is hoped that the following essays will do the same.

Since the remarkable period of peace and stability, the *pax Romana*, seemed to have been set in place by the very waves of the Mediterranean, it is easily forgotten that the sea was an avenue for Roman arms as well as an aid to the disintegration of imperial unity with the barbarian and Muslim invasions. These conflicts became increasingly tinged with religious fanaticism as the centuries passed. By the late eleventh century, a recrudescence of Papacy formally declared “holy war” on Islam, and made the recovery of the Holy Land the initial goal of the crusading movement.<sup>10</sup> Only the realms of Christian Spain were exempted from this Papal call to arms due to the fact that they were resisting the “tyranny of the Saracens within the Iberian Peninsula.”<sup>11</sup> With the prospect of Muslim booty and the Papal promise of a crusading indulgence, twelfth- and thirteenth-century Spanish rulers besieged one Muslim mini-kingdom or *ta'ifa* after another until by 1250, only the truncated, Granadine kingdom remained.<sup>12</sup> Despite their clearcut religious differences, a healthy syncretism ebbed between Christian and Muslim armies as both sides similarly raised military levies, defended territory with lines of strategic fortresses, conducted sieges and guerrilla campaigns and made peace with the prom-

<sup>10</sup> H. E. J. Cowdrey, “The Genesis of the Crusades: The Springs of Western Ideas of Holy War,” *The Holy War*, ed. Thomas Patrick Murphy (Columbus, 1976), 9–33.

<sup>11</sup> José Goñi Gaztambide, *Historia de la bula cruzada en España*, (Vitoria, 1958), 60–1.

<sup>12</sup> Derek Lomax, *The Reconquest of Spain*, (London, 1978), 55–8, 68–78; Charles Julian Bishko, “The Spanish and Portuguese Reconquest,” *A History of the Crusades*, ed. Kenneth M. Setton, 6 vols. (Madison, WI, 1975), 3:400–5.

ise of liberal settlements.<sup>13</sup> The reconquest way of war produced a very adaptable polyglot fighting force, the *almogávares*, which, with little official support, was able to propel Catalan arms across the Mediterranean with the conquest of a good portion of Greece in the first decades of the fourteenth century.<sup>14</sup>

Despite the debt Spanish medieval armies owed to their infidel foes, the engine which created, sustained and directed them was their royal commander. In the first section of this volume, the three-contributors deal either with the actual "face of battle," to use John Keegan's phrase,<sup>15</sup> or with the type of wide-ranging, sometimes humiliating diplomacy a sovereign had to engage in within his own lands simply to gain support for a foreign war. In the first article, Paul Chevedden analyses the siege warfare unleashed on the castellated Muslim realms of Majorca and Valencia between 1232 and 1244 by one of the greatest practitioners of reconquest warfare, James I of Aragon-Catalonia (1213–76). By a careful reading of James's autobiography, the "Book of Deeds" (*Llibre dels Feys*), he identifies the type of artillery employed during the Conqueror's campaign and how these engines were brought to bear on Muslim strongholds as both weapons of destruction and terror to the population. In the second contribution (my own), the more mundane, but no less significant, aspects of military funding and logistics is analyzed for the wars of the same great commander, James I. In these activities, we see the Conqueror not only as a courageous and canny leader of men but also a quartermaster and military administrator of the first order.

In the third article, that of Joseph O'Callaghan, the outgrowth of war and the Crown's adaptation to better wage it is investigated in regard to conflicts generated between the sovereign and the nobilities of Aragon and Castile in the later thirteenth century. Though England has long been cited as an example of baronial resistance to

<sup>13</sup> Robert I. Burns, *Islam Under the Crusaders. Colonial Survival in the Thirteenth-Century Kingdom of Valencia*, (Princeton, 1973), 117–38, 288–322; idem, *Muslims, Christians and Jews in the Crusader Kingdom of Valencia. Societies in Symbiosis*, (Cambridge, 1984), 25–35; idem, "How to End a Crusade: Techniques for Making Peace in the Thirteenth-Century Kingdom of Valencia," *Military Affairs* 35 (1971): 142–8; idem, "Piracy as an Islamic-Christian Interface in the Thirteenth-Century," *Viator* 11 (1980): 167–78; idem, "The Muslim in the Christian Feudal Order: The Kingdom of Valencia, 1240–1280," *Studies in Culture* 5 (1975): 105–26.

<sup>14</sup> Robert I. Burns, "The Catalan Company and the European Powers, 1305–11," *Speculum* 29 (1954): 751–71.

<sup>15</sup> John Keegan, *The Face of Battle: A Study of Agincourt, Waterloo and the Somme* (New York, 1977).

the encroachment of royal power,<sup>16</sup> O'Callaghan clearly shows that both Aragonese and Castilian baronies of James I, his son Peter III (1276–85) and his son-in-law Alfonso X (1252–84) reacted similarly to protect their customary position in the face of legal and fiscal “innovations” of the Crown. Like the Baronial Council of Simon de Montfort and the rebellious English barony, the “brotherhoods” (*hermandades*) of Castile and the “unions” (*uniones*) of Aragon sought to hem in a power-hungry Crown by taking full control of the law and the royal administration. Only after a half-century had elapsed would the sovereigns of either Castile or Aragon fight their way back to some semblance of their earlier power base.

Once warfare and diplomacy had delivered more and more Muslim lands into the hands of Christian settlers during the thirteenth century, everyone—sovereign, churchmen, townsmen and nobles alike—had to reach some kind of workable governmental accommodation with the infidel communities. While Jewish and Muslim settlements clearly predated the existence of the realms of Christian *Iberia*, many of these communities rapidly fell victim to the main thrust of the *reconquista* of the thirteenth century and then had to be factored into some sort of societal solution. In effect, the Jewish and Muslim “community” (*aljama*) itself proved the foundation for the regularization of relations between the religious minorities and the Christian land they now lived in. The Crown was crucial in this development with its recognition of the *aljama* as a “semi-autonomous corporation enjoying legal personality, privileges and immortality.”<sup>17</sup> Within these settlements or urban neighborhoods, a remarkable amount of local control was exercised in regard to worship, adjudication, legislation and taxation.<sup>18</sup> The Christian sovereigns found such an arrangement beneficial, since Jews quickly attained an invaluable fiscal niche in the royal administration, while the Muslims constituted an essential population bloc for both commerce and agriculture.<sup>19</sup> The situation in the Christian society at large, however, was far less congenial or simple.

<sup>16</sup> R. F. Treharne, *The Baronial Plan of Reform, 1258–1263*, (Manchester, 1971), 1–291; J. C. Holt, *Magna Carta*, (Cambridge, 1965), 19–42.

<sup>17</sup> Burns, “How To End a Crusade,” 143.

<sup>18</sup> Burns, “Muslims in Thirteenth-Century Realms of Aragon,” 58–9; idem, *Islam Under the Crusaders*, 184–219, 249–70; idem, *Muslims, Christians and Jews*, 1–17.

<sup>19</sup> Robert I. Burns, “Jaume I and the Jews of the Kingdom of Valencia,” X *CHCA, Comunicaciones 1 y 2*, (Zaragoza, 1976), 258–62; idem, “Muslims in Thirteenth-Century Realms of Aragon,” 94–5; idem, “Immigrants from Islam: The

Though Christian, Jew and Muslim lived in close proximity in all Iberian lands, this *convivencia*, to use Américo Castro's term,<sup>20</sup> was a very complicated matter. An "insidious acculturation passed between the three groups, as did religious converts and intellectual initiates."<sup>21</sup> One must never mistake this measured coexistence for tolerance, however, since each of the three peoples "nourished a posture of public hostility toward the other, expressed in its laws . . . attitudes and sense of superiority."<sup>22</sup> While such belligerence seldom became rebellion among the Jewish communities of the Crown of Aragon, the same could not be said of the Mudejars, the Muslims living under Christian rule. Taking such a feeling of communal separateness into effect and tying this to the very size of the *aljamas*, it is little wonder that riot and rebellion among his infidel subjects was a constant menace to the sovereign. Some of the persistent malefactors in this regard were such displaced members of the Islamic ruling families as Al-Azraq, Lord of Alcalá, who repeatedly rebelled against James I's authority in Valencia from the 1240s to his death in 1276. All told, then, the minority communities in Spain and in other Western Mediterranean lands were, despite their acculturative effect on the majority community, societal fault zones which could erupt into earthquakes of rebellion at a moment's notice.<sup>23</sup>

The first of the essays in this section, that of Norman Roth, focuses on the legal status of Jews in medieval Spain by reviewing all the pertinent legal texts of the Iberian Middle Ages. Though certain Aragonese and Castilian *fueros* of the twelfth century speak of the Spanish Jew as "a serf of the royal household", Roth utilizes later legal commentaries and lawsuits to show that medieval Spanish Jews,

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Crusaders' Use of Muslims As Settlers in Thirteenth-Century Spain," *AHR* 80 (1975): 21-42.

<sup>20</sup> Américo Castro, *The Spaniards: An Introduction to Their History*, trans. Williard F. King and Selma Margurettan (Berkeley, 1971), 584.

<sup>21</sup> Burns, "Muslims in Thirteenth-Century Realms of Aragon," 69; idem, "Renegades, Adventurers and Sharp Businessmen: The Thirteenth-Century Spaniard in the Cause of Islam," *CHR* 58 (1972): 341-66; idem, "Journey from Islam: Incipient Cultural Transition in the Conquered Kingdom of Valencia (1240-1280)," *Speculum* 35 (1960): 337-56.

<sup>22</sup> Robert I. Burns, "Muslim-Christian Conflict and Contact in Medieval Spain: Context and Methodology," *Thought* 54 (1979): 252.

<sup>23</sup> Robert I. Burns, "Social Riots in the Christian-Moslem Frontier (Thirteenth-Century Valencia)," *AHR* 66 (1961): 378-400; idem, "A Lost Crusade: Unpublished Bulls of Innocent IV on Al-Azraq's Revolt in Thirteenth-Century Spain," *CHR* 58 (1972-3): 440-9; idem, "A Medieval Earthquake: Jaume I, Al-Azraq and the Early

though bearing a "special" status, were free men who possessed much the same rights and responsibilities as their fellow citizens. The relationship of Christian and Muslim Spain constitutes the background of Jill Webster's essay on the Franciscan mission to the infidel populations of Spain during the later Middle Ages. Though the conversion of the Christian and Jew was a concern of the order from its beginnings, and such evangelization first centered on the Maghrib and the Middle East, it eventually had as its main focus the Muslim and Jewish communities within Christian Spain. Webster traces this later medieval change in direction and ties it to the change of the order's initial gentle conversion philosophy to a later much more confrontational outlook on the infidel.

The essays of Mikel de Epalza and Thomas Glick investigate the thirteenth-century societies of Christian Spain, in order to gain a better view of the Islamic civilization they conquered and changed forever. Epalza provides an abstract of much of his earlier work by attempting to recreate, in general terms, the layout of rural, urban and even imaginary spaces in *Sharq-Al-Andalus*, the eastern provinces of Muslim Spain. Glick attempts to cut through the confusion about the countryside of Muslim Spain generated by the researches of other scholars (including that of Epalza). He does so by assessing the rudimentary irrigation systems of the Berbers who formed one of the greatest population bases of rural Andalusia even after the conquest of Valencia. From this scattered evidence, he attempts to make some secure conclusions, not only about their irrigational methods but also their organization.

If "medieval cultures were intrinsically religious",<sup>24</sup> they constituted an institutional foundation on which whole Mediterranean societies were built. In a land like Valencia which was chiselled out of a portion of Muslim Spain, the Church all but defined the state in the decades immediately after the conquest. Bishop, chapter and parish priest took a frontier land and transformed it physically, legally, economically and intellectually. With the building of new clerical structures or the adaptation of existing Muslim holy sites, a core was established for the secular society which developed around them.<sup>25</sup> High churchmen

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History of Onteniente in the Kingdom of Valencia," X *CHCA*, 1-2:209-244; idem, *Islam Under the Crusaders*, 323-32.

<sup>24</sup> Robert I. Burns, "The Parish as a Frontier Institution in Thirteenth-Century Valencia," *Speculum* 37 (1962): 244.

<sup>25</sup> Burns, *Crusader Kingdom*, 1:17-22.

were able to create a distinct atmosphere within their own jurisdictions, which was eventually breathed into secular political structures.<sup>26</sup> The delineation of rights and boundaries within this clerical environment was made in canon and Roman law terms. The Church, in effect, acted as a conduit by which the new laws passed into the secular world with the movement of many clerics into royal service.<sup>27</sup> The ecclesiastical influence on the lay world was also felt in the realm of education which became a near-monopoly of the cathedral chapter and monastery.<sup>28</sup> Perhaps the most immediate influence the Church had on the lives of the populace of Valencia and the rest of Europe emanated from its wealth. With great swaths of reconquered land settled on them by a grateful sovereign, both regular and monastic clergy acted as great landholders should by consolidating their patrimonies and arranging for their lands to be worked by local peasants. If such landed domination was not enough, the Church was also steadily enriched by a myriad of revenues, tithes and first fruits paid by a goodly portion of the secular populace.<sup>29</sup> The great significance of this funding led both lay and clerical authorities to interminable legal wrangling and even violence to protect the source of monetary support. With the advancement of an increasingly powerful and greedy Crown in the later Middle Ages. The interaction of the ecclesiastical and lay worlds was thus not always a happy relationship, and yet, without this "convergence and symbiosis", neither would have survived.

The papers of this section provide three glimpses of the atmosphere of cooperation and rivalry between the clerical and lay worlds of thirteenth- and fourteenth-century Castile and the Crown of Aragon. In the first essay, Theresa Vann discusses the long history of claim and counterclaim surrounding the Castilian frontier town of Ocaña. Though this mountain settlement would receive a *fuero* from the Castilian Crown in the mid-twelfth century, this instrument would soon be challenged. In the shifting realities of the medieval Iberian frontier, however, Ocaña with much of its surrounding territory came under the control of the crusading order of Santiago before the twelfth

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<sup>26</sup> Burns, "The Parish," 247.

<sup>27</sup> Robert I. Burns, "Canon Law and the *Reconquista*: Convergence and Symbiosis in the Kingdom of Valencia under Jaume the Conqueror (1213–1276)," *Proceedings of the Fifth International Congress of Medieval Canon Law*, (Vatican City, 1980), 387–427.

<sup>28</sup> Burns, *Crusader Kingdom*, 1:101–10.

<sup>29</sup> *Ibid.*, 1:131–72.

century had waned. Thus when the town council of Ocaña challenged Santiago in 1250, two legal forces as important on the frontier as in settled areas, that is, customary and Roman/canon law, entered the lists.

In the second essay, Linda McMillin traces the institutional history of the Barcelona convent, Sant Pere de Les Puel·les. As an independent monastic community, dedicated to women, Sant Pere had a tenuous political and economic position which forced it to rely on the good will of the sovereign and municipal authorities as much as on clerical superiors. McMillin reviews the convent's development through its association with the Papacy, the Crown, the Bishop of Barcelona, and other Catalan monastic houses. This interaction of the convent with both its clerical and lay surroundings, like all medieval ecclesiastical institutions, was both in the lay world and of it.

In the third essay, James Brodman chronicles the workings of another Catalan religious order, the Mercedarians, which had connections beyond the frontiers of the Christian faith and into the Islamic world. Founded in the first half of the thirteenth century to ransom Christians taken captive by Muslims, the Order of Merced eventually emerged as a powerful force with the royal court of the Crown of Aragon. The relationship of the order and the Aragonese monarchy was a special one, with the Mercedarians sworn to serve the sovereign in any way they could. Brodman reviews this relationship for the reigns of James II (1292–1327) and Peter IV (1337–78), showing that the order was forced to walk a tightrope between king and Pope to insure its political and religious well being. While the Papacy made some inroads on the power base of the Mercedarians, it was the Crown which attempted to fully control the order and their sizeable font of revenues. Despite its many failures as ransomer, the order clearly served the Crown as highly-trained royal agents in a variety of diplomatic and fiscal missions. Mercedarian houses founded through out the western Mediterranean served as both “listening posts” and “public information agencies” for the Aragonese Crown.

In this section's fourth essay, Elena Lourie traces the complex string of events which led to the demise of yet another order, that of Montesa. Founded in 1317, Montesa fell heir to the mission and much of the Valencian property of the Temple, which had been disbanded in the Crown of Aragon and throughout the rest of Europe some nine years before. Though supported by James II and Alfonso IV (1327–36), Montesa was eventually abandoned by Peter IV (1337–78), even



though the order proved one of his staunchest supporters during the unionist wars (1346–8). Pressed for cash and ever ready to find enemies among his friends, the king pressed the Papacy in 1346 and 1352 to have Montesa dissolved and its property dispersed. By a thorough reassessment of the evidence bearing on the motives of the Crown, the Papacy as well as the leaders of the Hospital and of Montesa itself, Lourie has unravelled this tangled skein of royal greed and clerical jealousy, which ultimately left Montesa a rump institution which faded away before the fourteenth century had waned. Like the convent of Sant Pere and the Order of Merced, Montesa, weakened by its own corruption and failure to fulfill its charge, found itself caught in a fatal vice between royal venality and Papal thirst for power.

One of the liveliest debates in the recent historiography of the Crown of Aragon has focused on the question of the expansion of the great maritime centers of Barcelona and Valencia into the central Mediterranean. Did such moves into the Maghrib, Sicily and Greece constitute a military or commercial “empire”, or did such ventures prove to be little more than transitory trading forays?<sup>30</sup> While such arguments seem to center on the full extent of overseas control the Crown of Aragon exercised, it is certain that both Catalonia and Valencia had grown into very vibrant economies during the High Middle Ages, justly famous for such products as the paper of Játiva<sup>31</sup> and for a wide-ranging and ruthless carrying trade in such precious cargo as slaves.<sup>32</sup> Contraband from privateers supported by the Crown acted as an adjunct to this commerce and militated against trade deficits.<sup>33</sup> The completion of the Valencian and Majorcan reconquest by the mid-thirteenth century, coupled with the great influx of sea-borne profit served to stimulate the unprecedented growth of the region’s cities and towns. Many of these urban sites, especially those of

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<sup>30</sup> The principal proponent of the “empire” theory is J. Lee Shneidman, *The Rise of the Aragonese-Catalan Empire, 1200–1350*, 2 vols. (New York, 1970), 2:279–412. Arguing against this point of view is J. N. Hillgarth, “The Problem of a Catalan Mediterranean Empire, 1229–1327,” *EHR* supplement 8.

<sup>31</sup> Robert I. Burns, “The Paper Revolution in Europe: Crusader Valencia’s Paper Industry—A Technological and Behavioral Breakthrough,” *PHR* 50 (1981): 1–30; idem, *Society and Documentation in Crusader Valencia*, vol. 1 of *Diplomatarium of the Crusader Kingdom of Valencia. The Registered Charters of its Conqueror Jaume I, 1257–1276*, 2 vols. to date (Princeton, 1985), 177–90.

<sup>32</sup> Burns, *Islam Under the Crusaders*, 109–13.

<sup>33</sup> Burns, *Muslims, Christians and Jews*, 109–25.

Valencia, expanded from their Muslim boundaries, while retaining sizeable Muslim and Jewish quarters. The syncretism bred from such close association of such different groups expressed itself clearly in urban architecture which incorporated elements from each of the Peninsula's "peoples".<sup>34</sup> The boom of the thirteenth century also underpinned royal, clerical and noble power bases with the huge increase of Muslim land coming into Christian hands. This development was accompanied with an huge increase in land dues and commercial taxes, which put a great deal of hard currency in the hands of those already made powerful by property and authority.<sup>35</sup> As Catalan and Valencian merchant ships plied the waters between Tunis and Sardinia and the *almogávares* spread the *Catalan Vengeance* across Anatolia and Greece, the Crown of Aragon advanced to a position of power and wealth respected by all of her neighbors. Whether this indicates the creation of an "empire" or not is for the reader to determine.

The essays in this section constitute a virtual economic history of not only the Crown of Aragon but also the other Spanish kingdoms in the later medieval period. In the first of these offerings, Carmen Batlle discusses the unique and common features of Aragonese, Catalan, Valencian and Majorcan urban growth in the fourteenth and fifteenth centuries. She lays out various methodological tools for the assessment of town growth in eastern Spain, including legal, toponymic, demographic, political and fiscal venues. Like Mikel de Epalza, Batlle thus uses the study of remaining structures as well as a broad based "documentary archaeology" to better understand urban space in medieval Catalonia, Valencia, Aragon, and Majorca.<sup>36</sup>

In the second essay, David Abulafia investigates one of the root causes of such explosive urban growth—overseas commerce and trade—for the largest island of the Balearic chain, Mallorca. Abulafia argues that the island, attached to Roussillon, Cerdanya and Montpellier by dynastic ties, was fully integrated into the economies and trading networks of the entire Crown of Aragon. The island was also a very strategic entrepôt between the eastern and western Mediterranean, providing important bases for Genoese, Pisan, Florentine and

<sup>34</sup> Burns, *Islam Under the Crusaders*, 81–99, 142–54.

<sup>35</sup> Robert I. Burns, "Irrigation Taxes in Early Mudejar Valencia: The Problem of the *Alfarda*," *Speculum* 44 (1969): 560–7; *idem*, "A Medieval Income Tax: The Tithe in the Thirteenth-Century Kingdom of Valencia," *Speculum* 41 (1966): 438–52.

<sup>36</sup> Robert I. Burns, "The Crusade against Al-Azraq: A Thirteenth-Century Mudejar Revolt in International Perspective," *AHR* 93 (1988): 106.

French merchants. Mallorca was also an important commercial hub in Christian trade with all the North African littoral. Abulafia thus demonstrates that Mallorca was a crucial link in Mediterranean agriculture, manufacture and commerce well into the fifteenth century.

The third essay also deals with Mediterranean trade, but focuses exclusively on the transport of Muslim slaves into fifteenth-century Valencia. By an extensive investigation from fiscal records of the reign of Alfonso the Magnanimous (1416–58), Paul Padilla has carefully traced the outlines of slavery within Valencia and has shown the Crusader Kingdom to be a major link in the slave trade chain which stretched across the Mediterranean. This trade was bolstered by a huge Valencian fleet of privateers which turned a ready profit by selling Muslim captives into slavery. Though slaves proved an important source of revenue for the Valencian economy, the commerce had far greater implications for eastern Iberian society. The constant influx of Muslim slaves into Valencia assured the replenishment of an infidel population, which in many ways defined while enraging the Christian society. With the ever-present threat of miscegenation between Muslim and Christian, expulsion of the infidel for the sake of a racial purity was the only solution for Iberia—a solution finally accomplished in 1609.

The last essays of this section both deal with the commercial and social contacts of later medieval Spain and the other regions of the Mediterranean world. In the first, Bariša Krekić traces the connection between Spain and the important Dalmatian city of Ragusa (Dubrovnik) during the fourteenth and fifteenth centuries. Though there was a small flow of Spanish sailors and mercenaries into Ragusa during the later Middle Ages, the greatest Spanish presence in Dalmatia was due to the mercantile contacts of Ragusa and Catalonia. While Ragusan merchants did themselves ply western Mediterranean waters, there is little record of a large Ragusan presence in the Iberian Peninsula of the later Middle Ages. Instead of serving Spain with its goods, Ragusa, like the Mercedarian houses of the same era, benefitted her with intelligence about the emerging power of the eastern Mediterranean, the Ottoman Turk.

In the last contribution of this section, William Phillips Jr. lays out the parameters of medieval Spanish relations with its neighbors from Africa to England on the eve of Columbus's first voyage. In assessing all the components of the Iberian Peninsula of 1492, Phillips delineates the commercial relationships of Granada, Castile, Portugal and

the Crown of Aragon—with each other and with the rest of the Western Mediterranean. What quickly becomes apparent from this study is that long before Granada fell in 1492, its economic lifeline to the Maghrib was being slowly cut by the relentless Portuguese drive down the West African coast. Even with Castile's defeat of the Granadine capital in 1492, her commercial expansion did not take her into Africa, but across the Atlantic in a wide-ranging search for markets from England to the Canaries. On the shoulders of the two forerunners of European transatlantic exploration, the route to colonial wealth and continental hegemony was clearly marked. In effect, forces within the Iberian Peninsula would soon have far greater influence on the creation of a new Europe with a self-confident, almost imperialistic view of the rest of the world.

PART ONE

MAN OF TWO FRONTIERS:  
ROBERT I. BURNS, S.J.



## R. I. BURNS AS ETHNOLOGIST AND HISTORIAN OF THE OLD WORLD AND THE NEW

*Lawrence J. McCrank*

### *Introduction*

Continuity is traditionally presented in History as a progression from the old to the new as though time were a one-way continuum; the New World, therefore, is seen as created in image of the Old. Chronology, like counting, is a forward periodic scale even though historical thought is hindsight, relative, and the idea of the great Chain of Being suggests both forward and backward chaining. Tradition itself is a reflective interaction of the present with history; continuities are influenced by those who envision their future and thereby make history, and by contemporaries whose consciousness of the future is directed by an awareness of the past. The idea of the New World being founded on the Old is generally perceived as creation, sometimes as fusion, but never merely imitation. Historians who are relevant for their future, must be adroit students of their present as well the past. Yet few historians are regarded as the visionaries they are because they tend not to be speculative futurists. Nevertheless, some historians are more successful than others in relating the past to the present and who thereby influence the future. R. I. Burns, S.J. is one of these.

There exists considerable literature and much debated philosophy of history that explores not simply how the past influences the present, but how the present continually reinterprets the past.<sup>1</sup> Several scholars

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<sup>1</sup> For a brief overview of such historiographic debate, most of which may be seen as an extension of Hegel's *The Philosophy of History*, trans. J. Sibree (New York, 1956), and Kant's *On History*, ed. Lewis Beck White, et al. (Indianapolis, 1963), cf.: R. G. Collingwood, *The Idea of History*. (1946; London, 1956), and his "The Limits of Historical Knowledge," *Historians as Detective: Essays on Evidence*, ed. Robin Winks (New York, 1968), 513-22; Wilhelm Dilthey, *Meaning in History*, ed. H. P. Rickman (New York, 1962); *Theories of History: Readings from Classical to Contemporary Sources*, ed. Patrick Gardiner (Glencoe, IL, 1959) and his *The Nature of Historical Explanation*. (London, 1961); Louis Gottschalk, *Understanding History: A Primer of Historical Method* (New York, 1963); G. R. Elton, *The Practice of History* (London, 1967); David Hackett Fischer, *Historians' Fallacies: Toward a Logic of Historical Thought* (New York, 1970), which is less

have taken a bio-bibliographic approach to their discipline to discern the interplay of past and present in history, literature and drama, architecture and archeology, art and music, where in a humanistic trance the past is explored for modern inspirations;<sup>2</sup> but this subjective awareness is present in the sciences as well, both social and physical.<sup>3</sup> Moreover, in the year of the Quincentenary (1492–1992) when the fundamental assumption by many that the Old World discovered the New has been challenged by the notion of encounter and mutual discoveries, one might reflect about history marching onward while historians look backward, or that discovery is ever unilateral or singular in direction. Thus Umberto Eco returned to the Middle Ages for themes by which he advanced contemporary awareness of signs as communications in addition to language, and fused semeiotics with linguistics. History itself and its language are symbiotic; history as narrative logic and discourse has not removed itself totally, despite the impact of scientific historicism, from storytelling—and indeed, a continual retelling.<sup>4</sup> Recently Norman Cantor

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introspective and more practical than Karl Popper's critique, *The Poverty of Historicism* (1957; New York, 1964); J. H. Hexter, *Doing History* (Bloomington IN, 1971); Maurice Mandelbaum, *The Anatomy of Historical Knowledge* (Baltimore, 1977); Ronald H. Nash, *Ideas of History* 2 vols. (New York, 1969); Michael Stanford, *The Nature of Historical Knowledge* (Oxford, 1986); John Tosh, *The Pursuit of History: Aims, Methods, and New Directions in the Study of Modern History* (London, 1984); Hayden White, *Metahistory: The Historical Imagination in the Nineteenth Century* (Baltimore, 1973); and Morton White, *Foundations of Historical Knowledge* (New York, 1965).

<sup>2</sup> The inspiration purpose of history was explored by the master Charles A. Beard, "That Noble Dream," ed. Fritz Stern, in *Varieties of History: From Voltaire to the Present* (New York, 1973), 323–5. Consider the classic, Jacques Barzun and Henry F. Graff, *The Modern Researcher*, 4th ed. (San Diego, 1985), for how past categories control current inquiry. Of course, paradigm building, destruction, and remodeling are the components of the intellectual process of variation and revision within a tradition of thought, e.g., Dominick LaCapra, *Rethinking Intellectual History: Texts, Contexts, and Language* (Ithaca, 1983); including attempts to dismantle the sequential assumptions in History, e.g., Michel Foucault, *The Order of Things: An Archeology of the Human Sciences* (New York, 1970) which is a new form of relativism, seemingly debated earlier (1931) by Mandelbaum in his *Problem of Historical Knowledge* (New York, 1971), that continues to be controversial, e.g., Michael S. Roth, "Foucault's History of the Present," *History and Theory* 20 (1981): 32–46; Hayden White, "Foucault's Discourse: The Rhetoric of Anti-Humanism," in *The Content and the Form: Narrative Discourse and Historical Representation* (Baltimore, 1987).

<sup>3</sup> As understood by Thomas S. Kuhn in his famous discussion of paradigms in scientific thought, *The Structure of Scientific Revolutions* 2nd ed. (Chicago, 1970). For the social sciences, consider Fernand Braudel's "Histoire et Sciences Sociales. La Longue Durée," *Annales* 26 (1958): 725–53; and his longer *On History*, trans. Sarah Matthews (Chicago, 1980), 6–22 which surveys the situation in History to 1950.

<sup>4</sup> For a modern resurrection of German scientific historicism, see Lee Benson,



in a somewhat more serious strain than the *Pseudo-Society for the Invention of the Middle Ages* which holds forth annually at the *International Conference of Medieval Studies*, but with an equally satirical probe and disquieting inquisition, suggests in his *Inventing the Middle Ages* that this segment of history is a twentieth-century invention greatly influenced by New World scholars looking at the Old not only across the centuries, but also across the Atlantic but not without the detachment one might expect.<sup>5</sup> He contributes to the genre of history about history, echoing the sentiment supposedly articulated by General George Patton who wondered aloud about what glory there was in winning a battle if the historian did not know about it, i.e., historians make history.<sup>6</sup>

Cantor in his equation of "Discovery and Learning" remarks: "After Durkheim, Boas, and Freud, historians had to contemplate human beings and social actions in radically different ways."<sup>7</sup> He is alluding not only to psycho-history, but to the more pervasive impact of

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*Toward the Scientific Study of History* (Philadelphia, 1972), and the earlier examination by Isaiah Berlin, "History and Theory: The Concept of Scientific History," *History and Theory*, 1 (1960-61): 1-31; H. Stuart Hughes, *History as Art and as Science: Twin Vistas on the Past* (New York, 1964). Cf., for history as a language-influenced discourse and narrative logic, J. H. Hexter, "The Rhetoric of History," *History and Theory* 6 (1967): 3-13; Lionel Gossman, "History and Literature: Reproduction or Signification," in *Writing of History: Literary Form and Historical Understanding*, ed. Robert H. Canary and Henry Kozicki (Madison WI, 1978), 3-39; F. R. Ankersmit, *Narrative Logic: A Semantic Analysis of the Historian's Language*, vol. 7 of *M. Nijhoff's Philosophy Library* (The Hague, 1983); Roland Barthes, "The Discourse of History," trans. by Stephen Bann in *Rhetoric and History: Comparative Criticism Yearbook*, ed. Elinor Schaffer (Cambridge, 1981), 3-20; and Louis O. Mink, "History and Fiction as Modes of Comprehension," *New Literary History* 1 (1969-70): 541-58, explored further in "Philosophy and Theory of History," ed. George G. Iggers and Harold T. Parker, *International Handbook of Historical Studies: Contemporary Research and Theory* (Westport, CT, 1977), 17-27; John Rush, "Historical Narration: Foundation, Types, Reason," *History and Theory* 26 (1987): 87-97; Nancy Struever, "Historical Discourse," in *Handbook of Discourse Analysis*, ed. T. A. van Dijk (London, 1985), 249-71; and Hayden White, "The Question of Narrative in Contemporary Historical Theory," *History and Theory* 23 (1984): 1-33.

<sup>5</sup> Norman Cantor, *Inventing the Middle Ages: The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (New York, 1991). Of one of Cantor's subjects, Marc Bloch, of course, consciously explored the reflexive relationship of present and past: *The Historians Craft* (New York: Knopf, 1961).

<sup>6</sup> For example, Michael Kamen, ed., *The Past Before Us: Contemporary Historical Writing in the United States*, (Ithaca, 1980); John Higham, *History: Professional Scholarship in America* (Baltimore, 1983); David van Tassel, *Recording America's Past: An Interpretation of the Development of Historical Studies in America* (Chicago, 1960); and more pointedly, John Barker, *The Superhistorians: Makers of our Past* (New York, 1982).

<sup>7</sup> Cantor, 28-39.

anthropology on historical inquiry. The New Social History in American historiography is the eventual escape of the *Annales* school from its entrapment in French, added anthropology for interpretation and theory to bridge gaps in documentation, and applications to non-traditional themes. This essay explores this impact of anthropological methodology and perspectives on History, and the reverse continuum of historical consciousness of the New World American mentality examining the medieval past of European expansionist culture, reflected in the prodigious work of Robert Ignatius Burns, S.J., whom I would add to Cantor's list of great medievalists of the twentieth century, but who will be spared an exposé of Cantor's variety. Instead the exploration here is on the interplay of ethnology and history in Burns' studies of the Pacific Northwest frontier in North American and recast focus on the frontier of medieval Valencia, as an example of historical recreation where "the medieval world . . . [is] not simply excavated through systematic research. It had to be conceptually created, emotionally confronted, artistically modeled: It had to be invented."<sup>8</sup>

Ethnology, particularly cultural structuralism, is the intellectual construct enabling Burns's discovery of a vibrant civilization and a writing of history which seems to have so much to say to contemporary Euro-American society about inter-racial, culturally diverse, economically challenged, pluralistic, and urbane living. As the foremost historian of the Americanist school of Luso-Hispanic studies, his perspectives, one might argue, are very American, very Californian and contemporary; and as such, his history is unlike that produced in Spain closer to the subject, both because of the questions asked and the answers given. His scholarly grounding in philosophy shows through, as does his experience as a professional archivist in his meticulous control of documents, and in his fusion of history and cultural anthropology, so too his investigations of Euro-American and native-American nineteenth-century experiences in American West pervade his exploration of Christian-Muslim relations in another frontier, that of medieval Spain. Equipped with extensive language training and such formidable credentials as graduate degrees and licentiates in theology, philosophy, and history, he earned two distinct doctorates in anthropology and in medieval history; but this formal training should

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<sup>8</sup> Paraphrased from the book-jacket blurb for Cantor's *Inventing the Middle Ages*, front flap.

not overshadow other formative influences such as his vocation to the priesthood, particular choice of service as a Jesuit, and his vantage point from the Pacific Coast looking across the American landscape and back into its history, and beyond across the Atlantic to Europe and even further back in time. His communication has been through engaging teaching and scholarly communication through prodigious research and writings; but his influence has spread as well through personal support, a massive correspondence always in his identifiable script jotted in a hurry between other pressing engagements, and an open extension of friendship to a wide circle but with only select access to the inner man. As an ethnologist or as an historian of Old and New World scenes, he has always seemed to be an acute observer of human affairs, a listener and engaging conversationalist, whether in quiet dialogue with his documents, in seminar teaching, or in working a crowd in this or that academic gathering. Many have been his students; we have all been his subjects.

### *Ethnohistory*

The fusion of ethnology and history produces either history in the service of the former, or ethnology as a methodological foundation for the latter. Seldom is the blend so balanced that a dominance of one over the other is undetectable. Throughout Burns's works appear the key words depicting this blend, far better integrated than most to produce a decidedly historical emphasis, a scientific foundation, but a narrative where close readings of documentation and careful attention to detail, a lively language and colorful description, and human interest makes people the main focus despite the ethnologist's dissection of the components of their culture. In his article titles appear from 1960 onward the telling terms "Incipient Cultural Transition,"<sup>9</sup> "Confrontation in the West,"<sup>10</sup> "Acculturation" and "Acculturative Survival,"<sup>11</sup> "Societies in Symbiosis" and "Convergence

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<sup>9</sup> Burns, "Journey from Islam: Incipient Cultural Transition in the Conquered Kingdom of Valencia (1240-1280)," *Speculum* 35 (1960): 337-57.

<sup>10</sup> Burns, "Christian-Islamic Confrontation in the West: The Thirteenth Century Dream of Conversion," *AHR* 70 (1970): 1386-1434.

<sup>11</sup> Burns, "Spanish Islam in Transition: Acculturative Survival and its Price in the Christian Kingdom of Valencia, 1240-1280," *Islam and Cultural Change in the Middle Ages*, ed. S. Vryonis (Wiesbaden, 1975): 87-105.

and Symbiosis,"<sup>12</sup> "Interface,"<sup>13</sup> "Behavioral Breakthrough,"<sup>14</sup> "Bilingualism and interchange,"<sup>15</sup> "Immigrants" and "Settlers,"<sup>16</sup> and "Interaction and Reaction."<sup>17</sup> Or note the important choice of words in book titles from 1967 onward: "Reconstruction on a Frontier,"<sup>18</sup> "Colonial Survival,"<sup>19</sup> "Colonialism", Exploitation,"<sup>20</sup> and "Societies in Symbiosis,"<sup>21</sup> All of these phrases could be taken as ethnological references to the American frontier, but they were applied to the thirteenth-century frontier of Valencia, Spain. Only after his initial exploration of the Valencian reconquest does one see an American counterpart essay, "The Opening of the West."<sup>22</sup> Although he cites Leslie Spier in his *Jesuits and the Indian Wars of the Northwest*,<sup>23</sup> and acknowledges the "amateur ethnological writing" of his Jesuit predecessors in the Pacific Northwest, the initial publications of Burns from 1946 through the 1960s lack the cavalcade of ethnological terms or propensity for comparative history related to frontier experience;<sup>24</sup> in-

<sup>12</sup> Burns, "Societies in Symbiosis: The Mudejar-Crusader Experiment in Thirteenth-Century Mediterranean Spain," *International History Review* 2 (1980): 349-85; and his "Canon Law and the Reconquista: Convergence and Symbiosis in the Kingdom of Valencia under James the Conqueror (1213-1276)," *Proceedings of the Fifth International Congress of Medieval Canon Law*, ed. Stephen Kuttner and Kenneth Pennington (Rome, 1980): 387-424.

<sup>13</sup> Burns, "Piracy as an Islamic-Christian Interface in the Thirteenth Century," *Viator* 11 (1980): 165-78.

<sup>14</sup> Burns, "The Paper Revolution in Europe: Crusader Valencia's Paper Industry—A Technological Breakthrough," *PHR* 50 (1981): 1-30.

<sup>15</sup> Burns, "The Language Barrier: The Problem of Bilingualism and Muslim-Christian Interchange in the Medieval Kingdom of Valencia," *Contributions to Mediterranean Studies, Mediterranean Symposium* (Valletta, Malta, 1976) 116-36.

<sup>16</sup> Burns, "Immigrants from Islam: The Crusader's Use of Muslims as Settlers in Thirteenth-century Spain," *AHR* 80 (1975): 21-42.

<sup>17</sup> Burns, "Muslims in the Thirteenth-Century Realms of Aragon: Interaction and Reaction," *Muslims under Latin Rule, 1100-1300*, ed. James M. Powell (Princeton, 1990).

<sup>18</sup> Burns, *The Crusader Kingdom of Valencia: Reconstruction on a Thirteenth-Century Frontier*, 2 vols. (Cambridge MA, 1967).

<sup>19</sup> Burns, *Islam under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton, 1973).

<sup>20</sup> Robert I. Burns, *Medieval Colonialism: Postcrusade Exploitation of Islamic Valencia* (Princeton, 1975).

<sup>21</sup> Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis*. (Cambridge, 1984).

<sup>22</sup> Burns, "The Opening of the West," *The Indian: Assimilation, Integration, or Separation*, ed. Richard P. Bowles, et al. (Scarborough, Ontario, 1972) 143-6.

<sup>23</sup> Burns, *Jesuits and the Indian Wars of the Northwest*, v where he also acknowledges R. Rahmann of the Anthropos Institut in Freiburg; see pp. 487-488 for his slight acknowledgement of formal American anthropology in the Pacific Northwest.

<sup>24</sup> Burns, *Jesuits in the Indian Wars*, 1, does employ the concept of the frontier, how-

stead his earliest work reflects the archivist-historian's concern for a "descriptive calendar" of papers, "accounts," "records" and an explication of a significant "manuscript" or exegetical analysis of a "treaty," which ironically reappear two decades later with a return to "Society and Documentation."<sup>25</sup> In that journey back to records management, analysis, and interpretation, however, the transitional thought from more traditional history to ethnohistory is revealed likewise in a paradigm shift and change in vocabulary, as reflected in Burns's own words in 1984, "from catalog to documentary archeology."<sup>26</sup> Indeed, Burns characterizes his archival investigation, field work preceding historical reconstruction, as "preparation for the dig."<sup>27</sup>

The social anthropology in Burns's historical work is more difficult to identify than is his fascination with the archeological metaphor because ethnological inference is more subtle and ethnology *per se* is seldom raised as an issue itself; its integration is so thorough that there is a pervasive and systematic content other than subject, which must be discerned in his approach to questions and interpretation of sources. Moreover, Burns's anthropological training in Europe and application to American studies, and then redirection back to a more remote European setting, hide any overt alliance with this or that school in the evolution of modern ethnology except for an indebtedness to structuralism. Instead, his ethnological bent is demonstrated in a combination of documentary history, linguistics applied to text interpretation, and archeology portrayed more in his use of contemporary manuscript images.

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ever; and he turns both to a Braudelien survey of the landscape (pp. 19–30) and to the French notion of *mentalité* or psychological factors in his socio-political history.

<sup>25</sup> Burns, *Society and Documentation in Crusader Valencia*, introduction to his ongoing multi-volume, *Diplomatarium of the Crusader Kingdom of Valencia. The Registered Charters of its Conqueror Jaume I, 1257–1276* (Princeton, 1985), vol. 2: *Foundations of Crusader Valencia: Revolt and Recovery, 1257–1263* (Princeton, 1991), docs. 1–500.

<sup>26</sup> Burns, *Muslims, Christians and Jews*, 129: "The temptation to press catalog information into the service of scholarship on the Jews of King Jaume's Valencia is a general affliction among the few who approach this field at all. The labors of both men (Jean Regne and Martínez Ferrando) remain invaluable, but they should not be expected to stand in for the documents themselves. The best of catalogs makes a feeble foundation for research. Their short paraphrases lack context, detail, nuance, the impact of the original language, or the corrective subsidiary information of the full text. *Restructuring* the history of the Valencian Jews under Jaume will therefore require heavy archival labor." This is the language of an ethnologist doing field work, veiled in that of archeology, complete with structuralism, operating on the metaphor of the dig (in the archives) and the artificial construction of an historical edifice.

<sup>27</sup> Burns, *Muslims, Christians, and Jews*, 136.

Ethnology was always historically oriented since its origins from 1842 when the *American Ethnological Society* was founded, through 1902 when the *American Anthropological Association* was formed, given its original slant toward explaining cultural divisions such as languages and religion; classifying and comparing societal units called "cultures" in the anthropological sense; and migration and cultural diffusion.<sup>28</sup> When ethnological methodology is employed to do history, the result is "ethnohistory," usually with a local history focus; but in the reverse, using historical documentation for the purpose of ethnology, the result is "historical ethnology." Which is which cannot be identified all that easily. Both traditions are, however, indebted to Franz Boas' diffusion emphases (1895) to which Cantor alluded, originally applied to native American Indian folklore, motifs, and tribal typologies. Americans, closer to their field work, had somewhat different emphases therefore than the European counterpart of Friedrich Ratzel (1887) and Leo Frobenius (1898), whose concept of the *kulturkreis* or "culture area" was widely adopted for comparative studies and was adopted by Burns to explain differences between Native and European American mentalities in the Pacific Northwest.<sup>29</sup> The difference was often one of interpretation about how phenomena were diffused, e.g. from a central point in all directions, or via routes of contact and reinforcement. A. L. Kroeber and Clark Wissler dominated debates in the American scene.<sup>30</sup> The second issue was to identify what constituted culture and cultural variation, leading to classifications and inventories exemplified by Verne Ray's enumeration of 7633 culture elements,<sup>31</sup> and comparisons represented most notably by

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<sup>28</sup> In contrast to ethnography which pertains to the intensive study of a single tribe or society, ethnology is more comparative and far ranging. Past usage often confused ethnology with the umbrella term anthropology. See Harold Driver's overview, "Ethnology," *International Encyclopedia of the Social Sciences* (New York, 1968) 5:178-86.

<sup>29</sup> Burns, *Jesuits and the Indian Wars*, 1.

<sup>30</sup> For example, cf. Alfred L. Kroeber, *Anthropology: Race, Language, Culture, Psychology, Prehistory*, (1923; New York, 1948), and his summary, *A Roster of Civilizations and Culture* (New York, 1962); his arguments about cultural diffusion are formulated in "Stimulus Diffusion," *American Anthropologist* 42 (1940): 1-20. See also Clark Wissler, *The American Indian: An Introduction to the Anthropology of the New World*, 3rd ed. (1917; Gloucester MA, 1957). Interestingly, Burns does not cite Wissler in his *Jesuits and the Indian Wars of the Northwest*, but used Kroeber's *Cultural and Natural Areas of Native North America* (Berkeley, 1939), which transported the German *kulturkries* to American anthropology.

<sup>31</sup> Verne F. Ray, "Culture Element Distributions," *Anthropological Records* 8 (1942): 99-258.

G. P. Murdock's structural analysis originally based on kinship, but ultimately leading to cross-cultural studies, mapping (e.g., Murdock's *Ethnological Atlas* [1962–66]), and a reduction to approximately thirty key variables.<sup>32</sup> The older simplistic “unilinear evolutionists” were subjected to massive revisionism, especially by the so-called functionalist schools identified with Bronislaw Malinowski, who was linguistic and anti-comparative in orientation, and A. R. Radcliffe-Brown who is often characterized as anti-historical.

Anthropology contributed a totally different notion of “culture” to history than that inherited from the Renaissance, sometimes differentiated by capitalization as “Culture.”<sup>33</sup> Ethnologists like Malinowski used “culture” almost all-embractively.<sup>34</sup> They moved away from behavioralism in psychology, which tended to focus on individual rather than group or organizational behaviors. In the various theories of culture it became common to think of patterns and structures, one being a repetition in time as in Kroeber's stress of geographic spread of elements in cultural diffusion from one system to another,<sup>35</sup> and the latter being a simultaneous layering of cultural elements within a society as in Radcliffe-Brown's stress on vertical migrations in a society. Anthropologists and socialists differed in their categories, interpretations, and processes, but by the 1960s the two fields almost seemed to merge methodologies except for differing foci on older “primitive” and contemporary culture *qua* society. Social structure became a theory of culture in itself: structural systems came to be thought of as unities in themselves.<sup>36</sup> The idea was to move away from abstraction in theorizing about culture, and to describe relationships between social structures and social phenomena—morals, law, religion, government, economics, education, language, etc. History and archeology were often combined with this structural-functional analysis.

Such methodology tended to organize field work and historical study into specialized inquiries for comparison to produce abstractions, then

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<sup>32</sup> George P. Murdock, *Social Structures*. (New York, 1949). He published his “Ethnological Atlas” serially in the journal *Ethnology* (1962–66).

<sup>33</sup> Milton Singer, “Culture,” *New Encyclopedia of the Social Sciences* (New York, 1968), 3:527–43.

<sup>34</sup> B. Malinowski, *A Scientific Theory of Culture and other Essays* (Chapel Hill, 1944).

<sup>35</sup> Perhaps best reflected in Ruth Benedict's *Patterns of Culture* (Boston, 1934).

<sup>36</sup> As in the case of religion, illustrated by the work of Clifford Geertz, “Religion as a Cultural System,” ed. Michael Banton *Anthropological Approaches to the Study of Religion* (New York, 1966), 1–42.

classification into these theoretical categories, leading to generalizations and further comparison. There evolved a comparative social morphology with studies of macrostructure, e.g., peasant communities within a more broadly defined society. Social physiology attempted to relate cultural variations to social structures, often viewing human affairs as a complex network of social relations. The relations are the raw material for ethnohistory; social structures are derived from them, but are abstractions and generalizations, and these often relate as well to values and psychological interests. Such approaches tended to obliterate older distinctions between patterns and structures, or at least see them as parallel and complementary.

The so-called "new ethnology" after the mid-1950s and the 1960s began to study material things to discern culture as an intangible, and diffusion was complicated by the notion of continuity through transmission and discontinuities. In the case of Claude Levi-Strauss' work, modeling took on almost a mathematical precision, a regularization of relations, and attention to the dialectic relations between, for example, structures of myths and rituals, beliefs and behaviors, conscious actions and traditional behaviors.<sup>37</sup> Levi-Strauss and other structuralists studying function follow well-ordered structures such as language, kinship, social organization, law, religion, myth, ritual, art, etiquette, cooking, and political ideology. He espoused a logical concept of structures and hypothesizes about rules of communication and interaction, as in games, which produce patterns in real life.

This is the platform of structural ethnology which underpins the history of Father Burns as he grappled in the 1970s through the mid-1980s with the "continuist paranoia" of peninsular historiography and its endemic polemics, and steering a course through "more false polarities" in arriving at his own "judicious" striking of a balance concerning, for example, perspectives on Mudejar treatment by the conquering Christians.<sup>38</sup> Thus he was able to dismiss summarily the celebrated half-century debate about the counter-theses of Américo Castro and Claudio Sánchez-Albornoz, "still carried on with undiminished zeal by aging disciples," and confine it to the "retreat of his [or her] own *alcazar*" where he portrays the disputants in reconquest images of "conducting restricted tours of its premises, where no man can with impunity lift a fist." Or, "The dispute is liveliest in

<sup>37</sup> Claude Levi-Strauss, *Structural Anthropology* (New York, 1963).

<sup>38</sup> Burns, *Muslims, Christians, and Jews*, 17-23.



literary circles and displays all the unforgiving vituperativeness and tearful loyalties of any literary feud." Not only does Burns give away his disposition toward certain strands of literary criticism in this essay of 1978–1984 when he laid out a methodology for Mudejar studies, but his real intellectual alliance is revealed in his attack on Albornoz's vision as "a thesis [which] misses the lessons of structural anthropology," and on Castro's positions as "cut off by an essentially literary and manneristic approach from the hard discoveries of the current school of historians." Furthermore, "it never grasps the creative power of adaptive cultures to transmute and remain (in a new manifesto) somehow integral."<sup>39</sup>

In Burnsian elocution at its best (sometimes sublime execution in both meanings), he addresses the standard textbook descriptions of medieval Spain:

with a summons to look away from narcissistic preoccupation with a unique and isolated "Spain." Most of the textbooks serve us badly here. Having used them for general orientation, however, we can discard them like a highway map and strike out on foot to explore any given local situation. Each juncture of time and place in Spanish medieval history was so unique that its measure of contact and conflict was qualitatively different from that of conditions a generation before or a province away. This individuality affects place, time, associative setting, and behavioral context.<sup>40</sup>

Here is the anthropologist talking, cutting through grand theory, going back to the source, the local setting, as if to interview thirteenth-century Christians, Muslims, and Jews in the same way that he derived inspiration from staring at nineteenth-century photographs of the Jesuit missionaries to the Pacific Northwest. His 1988 referral to the documentary characterization of medieval Jews from Valencia as in a "portrait gallery" is reminiscent of his 1967 observation of Jesuit missionaries to the Pacific Northwest:

A gallery of their faces in ancient photographs provides an interesting study. There are earthy, peasant faces and finely drawn aristocratic faces. There are faces somber and faces twinkling; faces withdrawn, deeply carved, and faces happily alert; faces intellectualized, and practical, no-nonsense faces; faces ill and faces hearty, faces confident or diffident, stern or gentle, open or closed. In brief, they reflect a

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<sup>39</sup> Ibid., 2–3.

<sup>40</sup> Ibid., 9.

generous range of personality. Most of them bear the stamp of character or self-reliance which can be observed sometimes about the eyes or the set of the head, not most often around the mouth and chin.<sup>41</sup>

He thus strains to *see* his subjects through his documents, whether visual or textual, and to provide eyes with more distant and discerning vision for his contemporary less imaginative readers.

If the theoretical and national *alcazars* of traditional Americanist and Luso-Hispanic scholarship are thus torn down, are re-envisioned and rebuilt by Burns as structuralist and visionary, what constitutes his foundation, supports his edifice, furnishes his mansion, and peoples his scenarios? The answers: historical records read closely, arguments based on these and sustained by multiple examples, and people's lives brought alive by lively prose without addiction to a single interpretation or designed layout. The result of such background theory about umbrella cultures and their subordinated cultures, ethnological methodology, and reliance on historical documents but not being trapped by them, is ethnohistory at its finest, descriptive as a method of explanation, weaving concrete data in and out of intellectual constructs, both patterns and structures, some of which are made almost real. Envisioning and historical revision are inseparable. Culture, yet an abstraction, is thus portrayed in detail. Story and history become one.

### *Cultural Frontiers*

It is in the framing of such investigations in a theoretical setting that Burns more than at any other time operates with a paradigm, that being the "frontier" and a construct very American in its origin, conceptualization, development, and application. In two provocative essays, delivered also as conference presentations, Burns moved away from his microscopic examination of both the Pacific Northwest and the kingdom of Valencia to compare the two and to speculate about their differences and commonalties, and in so doing, to theorize about ethnohistorical reconstruction, methodology and assumptions. In his 1989 article "The Significance of the Frontier in the Middle Ages,"<sup>42</sup>

<sup>41</sup> Burns, *Jesuits and the Indian Wars*, 54.

<sup>42</sup> Burns, "The Significance of the Frontier in the Middle Ages," ed. Robert Bartlett and Angus MacKay, *Medieval Frontier Societies* (Oxford, 1989) 307–30.

he acknowledges the formative experience of studying under the Jesuit William Lyle Davis and thus inheriting a dose of Turnerism from Davis' mentor Herbert Bolton, including an influential reading of Billington's *Westward Expansion*; and he reflects further on what he might have absorbed studying in the "Turnerian Halls" of the Johns Hopkins University where Turner drew his frontier thesis together.<sup>43</sup>

Burns admits entering medieval history "with no intention of studying frontiers," although his first foray was with the Catalans conquering Byzantine Athens in an arena seen as part of the crusades East-West conflict that C. J. Bishko had much earlier characterized as a cultural frontier. Then he turned to Valencia for his doctoral dissertation, where the frontier interpretation was first articulated in traditional historiographical terms. But from there he pursued a second doctorate at the Anthropos Institut at the University of Freiburg, which "brought me into the world of ethnohistory and historical anthropology, the home air of neo-Turnerism." He rejected the Turner thesis itself but was drawn to its selective elements, especially "the neo-Turnerian focus on culture-clash and by its emphasis on social history."<sup>44</sup> He does not specify that he was drawn thereto by his California heritage and earlier exploration of cultural conflict in the Pacific Northwest American frontier, but his second essay connects these influences. The timing of the second doctorate also provides a key to the lack of overtly ethnohistorical terminology in his *Jesuits in the Indian Wars* where one might expect it, or even in his first Valencian studies, and his progressively increased usage in all subsequent works. But the substantive ethnological documentary approach characteristic of Burns is nevertheless evident in these earlier works. The change after the 1970s is more a deliberate adoption of ethnological theory to social history.

Burns addresses issues of methodology and comparative perspective in a rousing 1979 essay: "Muslim-Christian Conflict and Contact in Medieval Spain: Context and Methodology."<sup>45</sup> He railed against the "narcissistic framework" of historiography based on Romanticism, nationalism, and industrialism; welcomed the contributions of

<sup>43</sup> Ibid., 316.

<sup>44</sup> Ibid.

<sup>45</sup> Burns, "Muslim-Christian Conflict and Contact in Medieval Spain: Context and Methodology," *Thought* 54 (1979): 238-52, which was a keynote address given at the Ninth Conference on Medieval-Renaissance History, Ohio State University, 1978.

American historians to medieval studies and of the Iberian peninsula in particular; and heralded a "new history, which involves also new methodologies including the Braudelian 'total history'"<sup>46</sup> This is where he first introduced his metaphor of the *alcazar* in attacking the mentality of the Castro-Albornoz "stalled polemic" which was incorporated into his *Muslims, Christians, and Jews*, and argues for the study of new questions as the "covert and continual acculturation" addressed by Thomas Glick.<sup>47</sup> He liked particularly the "translating into functional concepts opposed poles of passage (the monastery as early counterpart of the Spanish-Islamic city, for example, the culture's communication center and point of secondary diffusion)" described in characteristically ethnological terms.

This polarization for contrast, and comparative approach is epitomized in Burns' own alliteration:

Within that essential framework of power relationships (referring to the "larger Islamic and Byzantine-Rome contexts"), ideological furies swirled: the Almoravid and Gregorian fanaticisms, Spanish-Islamic neo-convert sensibility, Italian-Norman and Seljuk puritanisms, commercial greed in an era of new possibilities, ecclesiastical and political antagonisms which were building toward the East-West split of 1054. . . . And this is merely the framework [note the structuralism], without the subtler movements, the local variants, or the individuals who rode or deflected these winds of change. This episode alone, merely as a setting for subsequent discussion of Spain's Muslim-Christian interface during turbulent century of the Cid, cries out for a Fernand Braudel or even two Braudels.<sup>48</sup>

Thus he summoned historians away from the "transcendental abstractions" of literature and philosophy in treating "a region of striking diversity and kaleidoscopic changes over a half-millennium," and from "narcissistic preoccupation with a unique and isolated 'Spain'." He substitutes the individuality of Spain with that of the moment, specific place, and person. He thus stresses his own "patient archeological probing, analyzing, and reflectively interrelating the indirect data, across the gamut of possible categories" which "can consume

<sup>46</sup> Ibid., 239.

<sup>47</sup> Thomas Glick, *Islamic and Christian Spain in the Early Middle Ages: Comparative Perspectives on Social and Cultural Formation* (Princeton, 1979); cf. his earlier relational study of technology and social organization, *Irrigation and Society in Medieval Valencia* (Cambridge MA, 1970).

<sup>48</sup> Burns, "Muslim-Christian Conflict," 244.

an historian's lifetime for one region and/or period alone."<sup>49</sup> He concludes: "All societies progress by acculturation and recrystallization." And he acknowledges that "much of this tropism (law, religion, refusals, exclusive communities, etc.) was conventionalized, even impersonal, freeing individuals to act humanly across the social boundaries to share significant psychological elements, values, and mentalities a *modus vivendi* for unremitting cultural interchange."<sup>50</sup>

Despite this grounding in local history, admiration of Braudelian historiography, and skepticism about forcing historical analysis into grand theories, Burns does not shy away from comparative history either in use of metaphor for illustration or for broader thematic analysis. His students have benefited from a lively repertoire of metaphors and analogies linking past images that might appear foreign and distant with contemporary commonplaces that make the former almost familiar. And he has ventured into more popular forums where this more fluid teaching method than formal academic discourse has found its way into print, usually a paper read at a conference.

One lesser known presentation that is highly revealing about Burns's gift at creative, comparative thought linking the Old World with the New was prepared for the Whitman Sesquicentennial Conference in 1986, sponsored by the National Park Service at Whitman College: "The Missionary Syndrome: Crusader and Pacific Northwest Religious Expansionism."<sup>51</sup> In this speculative essay he notes that students of the medieval past have oddly found themselves "at home" in the United States because of "the medieval flavor of our social

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<sup>49</sup> Ibid., 247.

<sup>50</sup> Ibid., 252.

<sup>51</sup> Burns, "The Missionary Syndrome: Crusader and Pacific Northwest Religious Expansionism," *CSSH* 30 (1988): 271–85. Note the decidedly different approach, thought, and language in this essay in contrast to his earliest work, "The Jesuits, the Northern Indians, and the Nez Perce War of 1877," *Pacific Northwest Quarterly* 42 (1951): 40–76. This pioneering essay may be seen as a contribution to the polemics and apologetics of a century-long debate in which Protestants blamed Catholic missionaries for anti-Americanism, instigating the Whitman massacre, and encouraging Indian revolts against White rule in the Pacific Northwest. Burns' methodology is heavily documentary to prove that Catholic tribes tended to remain peaceful and the Nez Percé war was largely conducted by Indians uninfluenced by Jesuit missionaries. He uses anthropology for careful discernment of tribal structures and group territoriality, but his attention is on the argument rather than ethnohistory for its own sake in this early essay, and his focus is local history without the broad comparative reach of his latter work. But this 1951 study clearly demonstrates extraordinary command of sources, rigorous research, and the ability to sustain convincing argument without becoming polemical himself.

structures and mentalities.”<sup>52</sup> Burns posits that “Our modern nation is more deeply rooted in the distant past than most Americans suspect,” and he proceeds to draw “parallels” that “catch the eye” and “lend insight into remote influences that may actually have originated or shaped our modern responses.”<sup>53</sup> He admits: “Parallels and continuities between our Pacific Northwest history and the medieval experience have often caught my eye.”

Burns in this 1986 essay reflects on his own “concomitant doctorate and career” with foci on “epic confrontation[s]” of Indians and Whites in the American Northwest, 1830–1890, and of Muslims and Europeans along the Mediterranean coast of Spain, 1230–1290, with some six centuries intervening. Emulating Samuel Elliot Morison who advocated working in “two dimensions” for “familiar immediacy” and “proper distance” for different a perspective, he discerns common themes in both:

1. Lengthy preludes of cultural “mingling” before one dominated the other, “not brutally overwhelming” in initial stages when “the acculturative impact was rather the stimulating and beneficent type more familiar perhaps to European anthropological tradition than the destructive impact familiar to our own.”<sup>54</sup>

2. Eventual but not necessarily predictable or inevitable confrontation as in the Indian Wars of 1858 and 1877 or aggressive Christian assault on Islamic Valencia from 1232 to 1245 partially in reaction to the Almoravid menace from Africa to the Ibero-Christian kingdoms; in both cases the invader was invited in, “an arrogantly expansive society moved in to stay” and “acculturation proved overwhelming and thus destructive” after “doomed uprisings.”<sup>55</sup> “What the victim could salvage was not his old society but a dispirited mutation.”<sup>56</sup>

3. Advances by the intruders were marked by series of treaties,

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<sup>52</sup> Burns citing S. D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza* (Berkeley, 1967–) 2:ix.

<sup>53</sup> Burns, “Missionary Syndrome,” 271.

<sup>54</sup> *Ibid.*, 272–3.

<sup>55</sup> *Ibid.*, 275.

<sup>56</sup> Burns (“Missionary Syndrome,” 275) uses the explanation of Ibn Khaldun in his *Muqaddimah* (trans. Franz Rosenthal [Princeton, 1967] 1: chap. 2, sections 22–23 and chap. 5, sec. 5) to make his point regarding both conquests: in Burns’ paraphrasing, “The people of a conquered and colonized society lose hope, lose the energy generated by hope, and lose the creative and cultural effects of that energy, so that disintegration becomes inevitable for the subject society.”

indeed treaty tours by a governor and a king, "that eventually produced reservations, or ethnocentered protected areas." Or stated differently, "In both developments, the invading society innocently redefined and restructured the conquered units."

4. Both areas shared characteristics as frontiers, lending themselves to analogy in discerning borderland experiences and perceptions that seem parallel, e.g., "the homeland folk came to perceive these adventurous frontier settlers as somehow different from themselves—in idiom, in custom, in behavior, in character, and in some echo or kinship with the native adaptations or culture."<sup>57</sup>

5. Finally, he calls attention to the religion, both characterized by "fiery vision of making all things new." The missions were run by specialists, were rationalized and centrally funded, were corporative and institutional, and were motivated by millennialism exercised by Manifest Destiny and exchatological ideology; and these tendencies were countered by debates about the legality of conquest, the morality of conquerors, and preservation of native cultures.

Thus Burns added to the "fascinating genre" of searches "for medieval roots in New World history." Parallels, however, between these two distant experiences are not drawn so simplistically as to set up a paradigm of cowboys and Indians/Christians and Muslims. Nor do they appear so overtly in his books about medieval Valencia, but are there nonetheless in countless analogies and metaphors that are so vivid as to allow readers to see, to envision their remote and more immediate past and thereby understand the present. Conversely, the present is used repeatedly to make sense of the past, indeed, to appeal to the senses, especially sight and hearing, for stimulating reading and active learning.

### *Ethnohistorical Discourse*

Burns' sequential studies in monographic form alone span more than two decades and provide a corpus of 2500 pages with running commentary, marshalling of bibliographic minutia, and ample criticism in small-type notes that comprise one third of the bulk as a form of hypertext that must be read parallel with the main text. This

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<sup>57</sup> Ibid., 277.

production provides an ample data base not only for word study, which as already noted reveals a shift toward a language of ethno-history *qua* "new history," but also for discourse analysis which is closely linked to anthropological tendencies as an approach to textual linguistics. This is not a method explicitly employed by Burns in his approach to thirteenth-century texts, but is implicit in Burns's own prose, argumentation, scholarly communication, and *mentalité*.

Texts as cultural artifacts came "under the scrutiny" of such pioneer anthropologists as Bronislaw Malinowski who in 1923 considered language study as one means of deriving meaning from a culture other than what is explicitly communicated: the "how" something was said (expression, presentation, etc.) as well as the "when" (historical sequence, structure of thought, etc.) could be as important than the "what" in discerning the "why" this human activity occurred at all.<sup>58</sup> Claude Levi-Strauss in the 1960s took up Malinowski's theme and was a conduit for influence from structural linguistics to anthropology and *vice versa*, and contemporary linguists like Robert-Alain de Beaugrande point to such developments as tagmemics in anthropology as evidence that ethnologists, in their concern for texts beyond sentences and even language as such to reconstruct the complex of human interactions, derived their methods from pioneering linguistics.<sup>59</sup> In sociology the specialty of ethnomethodology attempts to correlate "patterns of speaking" with social groups and identifiable roles, which reflects the same kind of cross-disciplinary influence structuralism in linguistics has had on anthropology and history, especially ethnohistory. This post-1970 pre-occupation with texts as cultural artifacts builds upon a much older foundation in rhetoric with its emphasis on systematic presentation of ideas, the training in matching expressions to ideas, the typology of oral and written discourse from lower to higher levels according to the intricacy of their structures, and the purposeful use of discourse to persuade, convince, and motivate beyond the business of relaying information. It owes much as well to the related study of stylistics, from classicist theore-

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<sup>58</sup> Robert-Alain de Beaugrande and Wolfgang Ulrich Dressler, *Introduction to Text Linguistics*, English translation from the 1972 German ed., in the Longman Linguistics Library, 26 (New York, 1981), 18, referring to Malinowski's "The problem of meaning in primitive languages," *The Meaning of Meaning*, ed. Charles Ogden and Ivor Richards (London, 1923) 296-336.

<sup>59</sup> De Beaugrande, *Text Linguistics*, 18-9, referring to Levi-Strauss' "La structure et la forme," *Cahiers de l'Institut de Science Economique Appliquée* 99 (1960): 3-36.



ticians to modern students of style and nuance as substantive dimensions of language beyond explicit communication of content.<sup>60</sup> One might expect in Burns's history output a mutual reinforcement of classical and rhetorical training with structural ethnology applied to historical texts and used as well to construct his own textual discourse.

Burns's historical prose is very conversational—thus lending itself to discourse analysis.<sup>61</sup> As one analyst observed: "Words make history."<sup>62</sup> Moreover, the narrative is History. Burns's series of books when read *ad seriatim* or as a continuum, may be enjoyed as prolonged increasingly in-depth conversation, as if an intellectual journey shared by scholar and students, all friends, going further; or if this horizontal geographic metaphor common to the rhetorical tradition were turned vertical, made archeological in the narrative tradition exploited by James Michener in his *The Source*, one would say that the conversation goes deeper into his subject.

In the modern science of texts, single contributions, and discourse, or "sets of mutually relevant texts directed to each other," there are "factors about the standards of textuality."<sup>63</sup> Briefly summarized, these are:

(1) cohesion formed by more than syntax to convey meaning, but a coherence underlying a sharing of surface structures and use of such devices as continuity vs. discontinuity;

(2) intentionality or "goal-directed use of conversation" is ever-present in academic discourse, as in interactive planning to introduce beliefs, marshal evidence, and solve problems;

(3) acceptability about what in communications will be readily accepted or understood, or immediate reaction to a text type depending

<sup>60</sup> As surveyed by *Style in Language*, ed. Thomas Sebeok (Cambridge MA, 1960); cf. Bernd Spillner, *Linguistik und Literaturwissenschaft: Stilforschung, Rhetorik, Textlinguistik* (Stuttgart, 1974), and the introduction to de Beaugrande, *Text Linguistics*, 14–30.

<sup>61</sup> In addition to de Beaugrande and Dressler's introductory text (1981), consider subsequent elaboration of discourse theory in de Beaugrande's *Text, Discourse, and Process. Toward a Multidisciplinary Science of Texts*, vol. 6 of *Advances in Discourse Analysis* ed. R. O. Freedle (Norwood, NJ, 1980); Gillian Brown and George Yule, *Discourse Analysis* (Cambridge, 1983); *Handbook of Discourse Analysis*, ed. Teun A. Van Dijk (London, 1985), 4 vols., esp. Nancy S. Struever, "Historical Discourse," 1:249–72; and *Literary Discourse. Aspects of Cognitive and Social Psychological Approaches* ed. Laszlo Halasz (New York, 1987).

<sup>62</sup> Struever, 249.

<sup>63</sup> Beaugrande and Dressler, 19–20.

on expectations of the audience or reader (e.g. expecting a history to be factual);

(4) situationality or location-specific contexts for understanding, which depends on mediation and stimulation of imagination to visualize a setting, an action or event, and to link the two in a scenario which relates one situation to another;

(5) intertextuality assumes a reader's prior acquaintance with other texts, usually introducing new material by going from something well-known and appropriate to produce correlation and hence understanding; and

(6) informativity, partially dependent on apperception of the reader and organizational skill of the communicator to gain interest and attention, and then to enable the receiver to cope with considerable complexity.

As linguists shift attention from word study and language as sentences to whole discourse, efficiency, effectiveness, and appropriateness are ever engaging concerns, and texts are viewed as actual systems. They are interested in the process of actualization, more than merely composition, and the text's interaction with its constituents (a concept emphasizing transaction, more than the idea of an audience or passivity implied in readers). Beaugrande, for example, describes a text acted upon or reacted to as a cybernetic system.<sup>64</sup> In such systems a language user knows his or her constituency, its preferred knowledge (i.e., format and content comprising the stability of text), well enough to increase informativity by destabilizing the text. This element of surprise, sometimes only a new way of saying something known before, is attention getting: such "communication therefore acts as the constant removal and restoration of stability through disturbing and restoring the continuity of occurrences."<sup>65</sup> Communication offering new information in a novel presentation is more informative than old information in conventional delivery. Its content may be inherently interesting, but there is value added in an interesting, masterful text.

Burns achieves academic respectability through an elaborate critical apparatus that often frees his text for explication in very contemporary terms, lively narration, and novel ways of looking at things.

<sup>64</sup> Robert de Beaugrande, *Text, Discourse, and Process* (Norwood, NJ, 1980).

<sup>65</sup> Beaugrande and Dressler, 36.

Indeed, his ethnohistorical approach may be considered as primarily methodological, but that could slight his prowess as an author who works his audience as much as his documentation. As already suggested by word study of Burnesian prose and note of his envisioning technique, he stimulates interest not only by content, but a choice of words from outside the conventional vocabulary of political-economic history. Readers might be prepared for a discussion of taxes as part of the historian's necessary reconstruction of the social and legal order of medieval Valencia, which could be treated in deadly prose and a boredom attributable to a totally stable text, but he disarms his readers with the provocative introduction: "Money talks, but it has a limited vocabulary." Not only does this instance suggest the awareness Burns has of language, his own and that of his subjects, but this betrays a style that pervades his work—a slight twist, an inviting question, a contemporary allusion, a turn of phrase, which make the potentially mundane truly literary. Consider, for an earlier example, that he could have concluded dryly that Jean-Pierre de Smet was a poor administrator, but Burns makes this point more demonstrably: "He was at his worst as an administrator."<sup>66</sup> Or appreciate the artistry in his explanation of interior religious ideas filtering from the Great Plains into Oregon before the arrival of missionaries who thought that somehow Indians expected them: "Just as grass from the Rockies traveled through trade channels to the basketmakers on the coast, so religious information circulated."<sup>67</sup> Such examples illustrate pointed informativity through disturbing what might be expected or the text's overall stability. This is style with purpose.

Burns's awareness of language use in communication, so apparent in his appeal to his contemporary readership, was translated into content both in his earlier study of Jesuits using interpreters, signs, and media to communicate with native Americans and the Blackrobes' training in languages, and notice of the Bostonian impatience with foreign languages and imposition of English on foreign cultures;<sup>68</sup> and in his studies of communications barriers between Christians, Muslims,

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<sup>66</sup> Burns, *Jesuits and the Indian Wars*, 45.

<sup>67</sup> *Ibid.*, 13.

<sup>68</sup> Burns, "Missionary Syndrome," 276–7 refers to the "revolution of language, always a primary boundary-maintaining factor and the repository of people's values, dreams, and inscape" which aggravated the "shipwreck of culture at the politicosocial level."

and Jews in medieval Valencian society which challenge conventional wisdom that all spoke Romance.<sup>69</sup> The ethnologist appears in his examination of evidence such as toponymical-anthroponymical sources, so sparse that "the linguist snatches at historical scraps, while the historian borrows conclusions from linguistic and literary analysis."<sup>70</sup>

Adept use of literary style is evident in Burns's early historical writing, as in selecting chapter headings that convey meaning through allusion and metaphor rather than standard historical description: consider his *Jesuits and the Indian Wars* where situation and context are treated as "Two Worlds" in both the geographic and cultural senses, in keeping with his continued use of juxtaposition for contrast and comparison: e.g., the parallelism in treating Red Man/White Man but making the intermediary Jesuit neither (identified more by his Blackrobe than race). Note also his framing episodic history under such rubrics as "The Shadow of War," "Drums along the Rockies," and finally, the "Meeting of Eagles" alluding to native American naturalism and American imperialistic nationalism which characterized this clash of cultures in the Pacific Northwest.

The same penchant for personification and casting history in literary forms appears in his *Crusader Kingdom of Valencia* (e.g., bishops and cathedral chapters portrayed as "Neighbors and Intruders" or the Arago-Catalan opposition to Castile seen as "Warding off the Stranger"), especially the last chapter using a religious shrine, St. Vincent's, as symbol, the "Crown of the Ideological Reconstruction."<sup>71</sup> But generally this work is written in less poetic terms; despite its rich descriptive language, it remains closer to its dissertation origins, devotes itself to organizations in a more classic historical treatment. Its ethno-social orientation is pronounced, however; cultural change, used here in its anthropological rather than art sense, pervades this study of the Church with its use of ecclesiastical geography, canon law, and archival records to focus on the "Parish in Action," the "School System," or "Frontier Pastor and People." Intratextuality is assumed in his next book, *Islam under the Crusaders* which carries the sub-title "*Colonial Survival*" where a situational survey of the "physical-historical

<sup>69</sup> Burns, "The language barrier: bilingualism and interchange," *Muslims, Christians, and Jews*, 172-192 for a chapter revising an earlier essay, "The Language Barrier," 116-36.

<sup>70</sup> Burns, "The Language Barrier," 117.

<sup>71</sup> Burns, *Crusader Kingdom of Valencia*, I:xv-xvi, pass.

milieu" treats Islamic Valencia as "The King's other Kingdom," not so much referring to Arago-Catalonia as to the Christian overlay discussed in his previous book.<sup>72</sup>

This second *opus* reveals a structuralism in procedural approach and methodology that reveals the impact of ethnology on Burns' historicism: the book is divided into three sections, devoted to the (1) physical-historical, (2) juridical-religious, and (3) political-military milieus. The first provides a flashback account of the reconquest, surveys the "topographical-administrative landscape," analyzes "the human geography," and proceeds to socio-economic classification. The second treats treaties in terminological terms to identify "universality and pattern" to show how surrender proceeded to incorporation but with significant survivals in language, custom, and religion ("Islam: An Established Religion") that formed exceptions to interpretations of the reconquest as instant or total homogeneity, and delineated a process of submersion of one culture into another to produce a geographic patchwork rather than a blended texture, a political and religious plurality, and a structured layering in society, thus altering the stereotypical notion of conversion and behavioral conformity associated with reconquest history. Valencian Islamic culture survived like native American cultures sublimated after conquest, but the epilogue also ended in an "autumn" as seasons shifted and time continued. Burns' *Medieval Colonialism* is a counterpart to his *Islam under the Crusaders*; the two must be read together for full impact, the big picture, and an integrated perspective. And these should be read as prologue to his synthetic *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia*, where subtitle subtly tells all: "*Societies in Symbiosis*."

### Conclusion

Burns's readership has grown beyond the relatively specialized and small coterie of medievalists working south of the Pyrenees or in Jewish and Muslim history. Scholars from the broader context of

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<sup>72</sup> But textual allusions are scattered throughout Burns' writing, and he was aware of literary imagery in the formation of perception as an historical reality. When discussing Catholic vs. Protestant rivalry in the mission field of the Pacific northwest (*Jesuits and the Indian Wars*, 35), Burns explains: "Each recalled the other also in terms of persecution: the ghosts of Torquemada and Oliver Cromwell stalked the Oregon forests." This relates the New World to the Old. That is intertextuality!

Mediterranean studies so influenced by Fernand Braudel, comparative frontier historians, the new generation of ethnohistorians, and now students of twentieth-century historiography, have been lured into his Valencian milieu. Readers cannot help realize that they are drawn into history reconstructed by a master, indeed an artist who creates understanding through lively language, colorful verbal imagery, storytelling, minute description juxtaposed to broad panoramas, and translation from original terms to modern equivalents supported with full explanation and examples. In this tribute to Burns as ethnologist and historian, a rare hybrid as ethnohistorian of the Old and New Worlds, the initial allusion was to his work in nineteenth-century western American history compared with his exploration of medieval Valencian societies. Burns himself notes the similarities in such studies, medieval survivals in the American experience of the frontier as part of the same phenomena of European expansionism, so that one might not perceive such American frontier history as so new. The real "new" world which Burns relates to the Old is a contemporary readership, specialists and non-specialists alike, students and scholars, and an Anglo-American audience not known for its historical understanding beyond the immediate or of anything reached through other languages or across cultural boundaries that transcend time and space to include fundamental assumptions, firm beliefs, ingrained attitudes, daily habits, and other ways of life.

In recognizing Burns's role as historian and intermediary between the Old and New Worlds, scholar and teacher, one cannot forget that he is also priest and mediator in an even higher sense, between this World and that to come. His Roman collar with clerical uniform are standard attire, an outward reminder of the inner man. He is a Jesuit without disguise or apology. What has this to do with his ethnology and history? with his erudition and warm humanity? Apart from the fusion of religious vocation with dedication to historical scholarship that produces an exemplary Christian humanism, his Jesuit training with his California upbringing explains much about his ethnohistorical interests, focus on frontiers where geography brought peoples together for the first time and their religions as well, and dialectic of bodily conflict mirroring that of the soul or the parallel between social and religious conversion.

One would have to revert to American nativist bigotry to accuse Father Burns of Jesuit casuistry, but there is in the sinister myths

pervading American anti-Catholicism the notion that Jesuit training in rhetoric for persuasion, logic for argument, and social science for behavioral change, produced men to be feared and respected at the same time. The popular nineteenth-century view of the Jesuit Order as a "moral Proteus," in Francis Parkman's words, prompted this retort from Burns: "Somehow the formidable Jesuit training managed to produce humane, intelligent, noble, cultivated men who were blind, cruel, unthinking fanatics."<sup>73</sup> The threat of Jesuit conspiracy was all the more real because of a Jesuit's alleged ability to act as intermediary, to enter another's mind or at least understand a mentality other than his own, to traverse foreign territory geographically and intellectually, to cross enemy lines and return again, to act as an infiltrator and perpetrator of revolution from within, and to convert—all with the determination, stealth, precision, and adroitness of espionage or a covert operation. If one jettisoned the negative in this archetype, forgot the political nuance, and secularized the conversion motive into one of education, then such Jesuit attributes begin to sound like a capable anthropologist! The first Jesuits advocated the formation of an abiding friendship and mentoring relationship with their students; their teaching aimed at presenting graphic images and active scenarios before their students and at involving them in an active learning process; they studied rhetoric to use in both preaching and teaching, with awareness of the classical ideal of persuasion; and their ministry involved travel for their own studies and to mission fields internal and external, including the university.<sup>74</sup> One might therefore speculate about Burns's Jesuit background influencing his career as a foremost ethnohistorian, namely his ability to move into very different cultures—native American villages and fur-trade settlements, religious communities and White immigrant towns that were predominantly Protestant, military establishments and secular colonies, countrysides and walled cities, farms and shops, Jewish ghettos and Muslim *morerías*, reconquest camps and royal courts, cathedrals and chapters, monasteries and mendicant houses, and the minds of men and women through their memorials and working documents.

<sup>73</sup> Burns, *Jesuits and the Indian Wars*, 33, referring to Parkman's *Jesuits in North America* written in 1867.

<sup>74</sup> John W. O'Malley, *The First Jesuits* (Cambridge MA, 1993), e.g., 72–3, 85–9, 225–27, 258.

Instead of the unrelenting fanaticism or single-mindedness supposedly dominating any Jesuit's outlook, in Burns's *Jesuits and the Indian Wars of the Northwest* there is a pervasive sympathy for and even empathy with native Americans.<sup>75</sup> His statements often say more than can be garnered from grammar and syntax.<sup>76</sup> Note the Thoreau-like disdain in commenting about the American westward expansion across the Rockies: "Like the arrival of the first ants at a picnic, the trading ships and fur posts were only an advance guard. The White invasion had begun."<sup>77</sup> The same is true of his views toward reconquest Christians; even enthusiasm for his hero, King James I, is balanced by his admiration for Jewish and Muslim cultures. Nor does he shy away from comparative judgement of conquerors, old or new, then or now: "The human factors predominated yet, effecting in this prehumanist time [the thirteenth century] a more humane balance. Far from ideal, that balance compares favorably with eras presumably more civilized."<sup>78</sup>

Hybrid ethnologist and historian, priest and teacher, Jesuit and American, Father Robert Ignatius Burns may be more of a Proteus than he would admit. He personifies the best in these seemingly diverse traditions and brings their diversity into common play. Minds spanning continents and decades, penetrating languages and cultures, that move from the concrete to the abstract with agility and ease, are rare indeed. A student of culture, he transcends cultures. A teacher of cultures, he acculturates the uncultured. He creates Culture.

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<sup>75</sup> Burns may be seen as a practitioner *par excellence* of what Karl Morrison characterizes as "the hermeneutics of empathy" in the west, in his "I am you": *The Hermeneutics of Empathy in Western Literature, Theology and Art* (Princeton, 1988).

<sup>76</sup> In the same way that Burns began with the subject of the superior or conquering culture, Euro-Americans in the first case and Arago-Catalan Christians in the second, he inevitably turned increasingly to bring out from the overlay the surviving under-culture, the native American tribes of the Pacific Northwest and latter the Mudejars and Jews, to show cultural interaction and to dispel the traditional viewpoint that military or political subjugation was tantamount to one-way cultural transfer from the conqueror to the conquered. Dominance opens the conqueror to cultural conquests in the reverse. For his contributions to native American history see Burns' "Missions in the Northwest," *History of Indian-White Relations*, ed. Wilcomb Washburn, vol. 6 and other contributions to the *Handbook of North American Indians*, ed. W. C. Surdevant, 20 vols. (Washington, D.C., 1987-); and his revisionist (based on little used European archives) contributions to *Reader's Encyclopedia of the American West*, ed. W. R. Lamar (New York, 1977), 1033-44, and the *Dictionary of American History*, rev. ed. (New York, 1977) 2:478-501.

<sup>77</sup> Burns, *Jesuits and Indian Wars*, 13.

<sup>78</sup> Burns, *Medieval Colonialism*, 348.



There are many, myself included, indebted to his scholarship and humanity. Having left American parochialism, nationalist historiography, and polemics behind, we are the converted; and our students do ask of history new questions about both the Old World and the New.



PART TWO

WARFARE AND DIPLOMACY



# THE ARTILLERY OF KING JAMES I THE CONQUEROR

Paul E. Chevedden

## Introduction

The study of siegecraft is of paramount importance for an understanding of medieval warfare, due to the fact that warfare of this period was predominantly siege-based.<sup>1</sup> The acquisition and defense of territory was the principal objective of warfare during the Middle Ages. To control territory and protect, as well as exploit, their populations, strongpoints—ranging from fortified cities and great fortresses to town defenses and simple towers—were constructed, maintained, and defended. To acquire and maintain control of new territory, the strongpoints of a region had to be obtained and protected from capture. Warfare during this period therefore centered on the construction, defense, and capture of fortified complexes. This fact has obviously not been fully considered by historians, as most studies on medieval warfare focus attention on aspects of field-warfare and largely ignore siege-warfare.<sup>2</sup> Some twenty years ago Joshua Prawer stated that a

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<sup>1</sup> The following studies indicate that medieval warfare was essentially siege-based or positional in nature: Ferdinand Lot, *L'art militaire et les armées au Moyen Âge en Europe et dans le Proche Orient*, 2 vols. (Paris, 1946), 1:17; R. C. Smail, *Crusading Warfare (1097–1193)* (Cambridge, 1956), 21–25; John Beeler, *Warfare in Feudal Europe, 730–1200* (Ithaca, 1971), 44, 57, 130; R. Allen Brown, *English Castles* (London, 1976), 172; Philippe Contamine, *War in the Middle Ages*, trans. Michael Jones (Oxford, 1984), 101; John Gillingham, “Richard I and the Science of War in the Middle Ages,” in *War and Government in the Middle Ages: Essays in Honour of J. O. Prestwich*, ed. J. Gillingham and J. C. Holt (Woodbridge, 1984), 82–84, 91; John Gillingham, “William the Bastard at War,” in *Studies in Medieval History presented to R. Allen Brown*, ed. C. Harper-Bill, et al. (Woodbridge, 1989), 148; Christopher Gravett, *Medieval Siege Warfare* (London, 1990), 3; N. J. G. Pounds, *The Medieval Castle in England and Wales: A Social and Political History* (Cambridge, 1990), 44, 113; Christopher Marshall, *Warfare in the Latin East, 1192–1291* (Cambridge, 1992), 6, 17, 44–45, 145, 210–11, 255–56; Randall Rogers, *Latin Siege Warfare in the Twelfth Century* (Oxford, 1992), 1–9.

<sup>2</sup> According to Marshall, the emphasis on field-warfare is due to the fact that “most military historians have concentrated on the fighting man as the principal military resource at the disposal of a commander and the battle is therefore the subject of greatest interest to them” (*Warfare in the Latin East*, 6). See the general surveys of medieval warfare which demonstrate the bias towards field-warfare: Hans Delbrück, *Geschichte der Kriegskunst im Rahmen der politischen Geschichte*, vol. 3 (Berlin, 1923); Charles Oman, *A History of the Art of War in the Middle Ages*, 2 vols. (London,

detailed study of medieval siegecraft remains a "desideratum."<sup>3</sup> This "desideratum" has been partially answered with the recent publication of *Latin Siege Warfare in the Twelfth Century* by Randall Rogers, but the problem of nomenclature of medieval artillery has yet to be satisfactorily resolved.<sup>4</sup> Until this is done, no progress will be made in establishing the contribution of one of the most important elements of siege warfare—heavy artillery—to the main thrust of military activity in the Middle Ages, the acquisition and retention of territory.

Heavy artillery played an important role in siege-warfare of the Middle Ages both in the capture and defense of strongpoints. To understand the methods by which fortifications were attacked and defended in the medieval period and to determine the role played by artillery in this process, the various pieces of artillery that were utilized during this period must be identified in order to assess their power and capabilities. This can only be accomplished by establishing the nomenclature of medieval artillery. The last systematic attempt to do this was undertaken more than fifty years ago by the Finnish scholar Kalervo Huuri. His study examined medieval artillery used across the whole of Eurasia by investigating an impressive number of sources in an array of Western and Oriental languages. His acquaintance with a wealth of primary sources was matched by familiarity with scholarly investigations on ancient and medieval artillery spanning more than a century. Despite his notable efforts, he was unable to solve the difficult problems related to the nomenclature of medieval heavy artillery. Many of his conclusions regarding the types of artillery used in the Middle Ages are purely conjectural and quite questionable. The most important technical treatises on medieval artillery, written in Arabic, were not consulted in his study,

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1924); J. F. Verbruggen, *The Art of Warfare in Western Europe during the Middle Ages*, trans. S. Willard and S. C. M. Southern (Amsterdam, 1977). Contamine does focus attention on siege warfare in his *War in the Middle Ages* (see above n. 1), but in a survey of such wide scope his account is necessarily brief.

<sup>3</sup> Joshua Prawer, *The Latin Kingdom of Jerusalem: European Colonialism in the Middle Ages* (London, 1972), 344 n. 92.

<sup>4</sup> Rogers, *Latin Siege Warfare*. Appendix III of this work (*The Problem of Artillery*) provides an extremely useful discussion of medieval artillery and scholarship concerning it pertinent to an understanding of twelfth-century siege warfare. His conclusions regarding the nomenclature of medieval artillery are not conclusive. He states that, "the clearest hypothesis is that differences in terminology when significant reflect differences in the weight of projectile cast and perhaps design of lever artillery rather than fundamental differences in the type of artillery" (266).

and his survey of the sources, while impressive, missed key texts which clarify the nomenclature of medieval artillery.<sup>5</sup> Since Huuri's monumental study, many scholars have noted the problems pertaining to the nomenclature of medieval artillery, but there has been no progress in resolving these problems. In fact there has been a retreat from this question altogether, as scholars in recent years have despairingly referred to the nomenclature as "confused", "contradictory", "uncertain", "vague and imprecise", "not consistent", "very complicated", and "all but impenetrable".<sup>6</sup> The remark has even been made that the effort to establish the nomenclature of medieval artillery "constitutes a difficult, and perhaps futile, concern of scholarship."<sup>7</sup>

The key to resolving the issue of nomenclature of medieval artillery lies in a careful study of the major technical treatises on the construction of these engines, a systematic analysis of the historical sources for information on the various types of machines that were used, and a thorough investigation of the illustrations which depict artillery dating from the Middle Ages and the Renaissance. In the Latin West the historical chronicle which provides the most information on medieval artillery is without question the memoir of James I the Conqueror, count-king of the realms of Aragon (1208–1276). This remarkable work—the only autobiography of a medieval European monarch, save for the imitative memoir of his descendant Peter the Cereemonious—is especially rich in information on siege-warfare and heavy artillery, due to the fact that it was written by an experienced artillerist.<sup>8</sup> Father Burns drew attention to King James's intimate

<sup>5</sup> Kalevero Huuri, "Zur Geschichte des mittelalterlichen Geschützwesens aus orientalischen Quellen," in *Societas Orientalia Fennica, Studia Orientalia*, 9/3 (Helsinki, 1941). See the review of this work by Claude Cahen in *Journal Asiatique* 126 (1948): 168–70 and Rogers, 254–73.

<sup>6</sup> These remarks are from the following studies: J. F. Fino, *Forteresses de la France médiévale: construction, attaque, défense*, 3d ed. (Paris, 1977), 150; idem, "Machines de jet médiévales," *Gladius* 10 (1972): 25; Henri-Paul Eydoux, *Les châteaux de soleil: forteresses et guerres des croisés* (Paris, 1982), 279; Brown, 175; Gravett, 47; Ada Bruhn de Hoffmeyer, *Arms and Armour in Spain: A Short Survey*, 2 vols. (Madrid, 1982), 2:104; and Barton Hacker, "Greek Catapults and Catapult Technology," *Technology and Culture* 9 (1968): 41. For other comments on the question of nomenclature, see Luis Monreal y Tejada, *Ingeniería militar en las crónicas catalanas*, Discurso de Ingreso en la Real Academia de Buenas Letras (Barcelona, 1971), 18.

<sup>7</sup> Martin van Creveld, *Technology and War from 200 B.C. to the Present* (New York, 1989), 33.

<sup>8</sup> James I, count and king, Realms of Aragon, *Llibre dels fets del rei En Jaume*, ed. Jordi Bruguera, 2 vols. (Barcelona, 1991). This edition of the *Llibre dels fets* (LF) is structured for the philologist. Quick reference to all words in the text is facilitated

knowledge of artillery in his monograph on the king's memoir, presented as his presidential address in 1975 before the American Catholic Historical Association. He stated that,

Jaume delighted in artillery. . . . Jaume lovingly describes [siege] engines. He took a personal interest in their placement and did not hesitate to serve them himself. Though he shows professional interest in strategy, tactics, and naval power, his comments about artillery pieces betray a special fascination. . . . He lovingly compares his own array of engines at the siege of Majorca city to that of the Muslim defenders. . . . Jaume devotes one chapter of his book largely to a perfect shot he himself launched as part of an artillery duel during a feudal war. This loving, personal involvement can be seen throughout the memoirs and is an important element of his "deeds" accomplished for God.<sup>9</sup>

King James's fascination and experience with artillery can be seen in his earliest military operations—the sieges of Albero de Suso and Lizana—when he was about ten years of age. To attack these two castles he transported to each stronghold a piece of artillery (*fenèvol*) that he had made at Huesca. After two consecutive days of artillery bombardment, the castle and town of Albero de Suso surrendered. Following this quick victory, James advanced on Lizana where he supervised the setting up of his *fenèvol*. Once the machine was readied for action, a murderous bombardment commenced with 500 stones fired the first night and a thousand more the next day. James's account of the siege is especially focused on the operation and destructive effects of his *fenèvol*. He relates that at about the time of vespers on the first full day of bombardment the *fenèvol* had made a great breach in the wall. While he describes the subsequent infantry assault

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by numbers identifying the parts of the work (books and lines). Since the terms for artillery can be easily located in this edition, reference to it will be made throughout this article. The earlier edition of the *Llibre* by Ferran Soldevila, with extensive historical notes, may also be consulted (*Llibre dels feits*, in *Les quatre grans cròniques, Jaume I, Bernat Desclot, Ramon Muntaner, Pere III* [LF (Soldevila)], ed. Ferran Soldevila [Barcelona, 1971]). On the authorship, authenticity, and peculiar structure of the *Llibre*, see R. I. Burns, S.J., "The King's Autobiography: The Islamic Connection," in *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia* (Cambridge, 1984), 285–88, with bibliographical notes.

<sup>9</sup> Robert I. Burns, S.J., "The Spiritual Life of Jaume the Conqueror, King of Aragon-Catalonia (1208–1276), Portrait and Self-Portrait," *X CHCA*, 3 vols. to date (Zaragoza, 1979–), 1–2:355–6. Monreal y Tejada also has observed the lexicographical richness of King James's memoir with regard to artillery and the descriptive force of his accounts dealing with artillery. This evidence, he concludes, indicates that James had a technician's acquaintance with the artillery of his day (*Ingenieria militar*, 10).



on the breach, James is still attentive to the action of his machine, saying that it continued to fire stones which wounded many of the enemy. As the *fenèvol* destroyed the wall, the governor of the castle, Don Pedro Gómez, planted himself defiantly in the breach to stop the coming infantry assault. He was buried up to his knees in dust and debris, according to James, because the incessant artillery bombardment had dislodged so much earth from the wall. When the final assault came, he was so anchored in place that he was unable to defend the breach and the castle was easily taken.<sup>10</sup>

King James dwells on artillery throughout his memoir, providing important details of the types of machines used, the method of their operation, and their destructive effects. He uses more terms to identify the various types of artillery employed than any other medieval European chronicler—eight in all—and, while describing these machines in operation, he identifies five structural components of the various engines. This information provides the key to understanding the differences between the various types of artillery that are mentioned in James's chronicle. All earlier attempts to identify the structural differences between the different pieces of artillery cited by King James have been unsuccessful.<sup>11</sup> Because of this, all past efforts to present an overall view of siege warfare in the realms of Aragon during the thirteenth century have been seriously flawed. Before analyzing the information on artillery provided by King James, a brief discussion of the development of medieval artillery is essential.

<sup>10</sup> *LF*, chap. 15 [all references to chapters; numbers after period refer to lines].

<sup>11</sup> For earlier attempts to identify the artillery used by King James, see John Forster, trans., *The Chronicle of James I, King of Aragon, Sumamed the Conqueror (Written by Himself)*, 2 vols. (London, 1883), 1:26 n. 1, 29 n. 1, 139 n. 1, 307 n. 2; 2:525 n. 1; Pascual de Gayangos, "Siege Engines in the Thirteenth Century," Appendix A of *Chronicle of James I*, trans. Forster, 2 vols. (London, 1883), 2:679–81; F. Darwin Swift, *The Life and Times of James the First, the Conqueror* (Oxford, 1894), 273; Joseph Goday y Casals, "Medis d'atach y de defensa en la Crònica del Rey D. Jaume," in *I CHCA*, 2 vols. (Barcelona, 1909–13), 2:799–810; Wilhelm Giese, "Waffen nach den katalanischen Chroniken des XII. Jahrhunderts," *Volkstum und Kultur der Romanen* 1 (1928): 140–82; Giese, "Altprov. *algarrada*," in *Verba et Vocabula*, ed. Helmut Stimm and Julius Wilhelm (Munich, 1968), 251–4; idem, "Waffen der Araber und Türken in katalanischen Texten des XIII bis XV Jahrhunderts," *EUC* 23 (1979): 237–41; *LF* (Soldevila), chap. 15 n. 9, chap. 16 n. 5, chap. 69 nn. 3, 4, and 7, chap. 460 nn. 4 and 11, and chap. 461 nn. 4 and 7; Monreal y Tejada, 10, 13, 18–25; Jordi Bruguera, "Vocabulari militar de la Crònica de Jaume I," *Estudis de llengua i literatura catalanes* 1 (1980): 39–64; de Hoffmeyer, 2:100–14; and Paul D. Humphries, "'Of Arms and Men': Siege and Battle Tactics in the Catalan Grand Chronicles (1208–1387)," *Military Affairs* 49 (1985): 173–8.

*Medieval Artillery*

The heavy artillery used during the life of King James was the rotating-beam siege machine, commonly known as the trebuchet. Three major forms developed: a man-powered machine, a counterweight machine, and an intermediate form combining both traction and gravity power. All forms consisted of an off-balance beam which rotated vertically on a fulcrum supported upon a frame. At the end of the long arm of the beam was attached a sling in which a missile was placed. One cord of the sling was firmly attached to the beam, while the other hung by a ring over an iron spike or style which formed the extremity of the long arm of the beam. If the machine were man-powered, ropes were attached to the end of the short arm of the beam. A team of men, or in some cases women, pulled upon these ropes and produced a vertical thrust which propelled and released the missile.<sup>12</sup> If the machine were gravity-powered, a large counterweight was attached to the end of the short arm of the beam and this provided the motive power for the machine.

The traction trebuchet was first developed in China sometime between the fifth and the third centuries B.C.E.<sup>13</sup> By the sixth century

<sup>12</sup> When Saladin laid siege to the castle of Burzey in August 1188, its garrison set up a trebuchet which was directed by a woman (Ibn al-Athīr, *al-Kāmil fī al-tārīkh*, ed. C. J. Tornberg, 13 vols. [Beirut, 1965], 12:15). At the siege of Toulouse in 1218, Simon de Montfort was killed by a stone-shot fired from a trestle-framed traction trebuchet operated by women (*La Chanson de la Croisade albigeoise*, ed. and trans. E. Martin-Chabot, 3 vols. [Paris, 1931-61], 3:206-9; Fino, *Fonteresses*, 156-7). Although such references to women operating trebuchets appear rarely in medieval chronicles, it was probably not unusual to find women contributing to war-making efforts in this capacity, particularly in situations where manpower resources were low, as would be the case in cities and castles under siege.

<sup>13</sup> On the development of the trebuchet in China, see Herbert Frankle, "Siege and Defense of Towns in Medieval China," in *Chinese Ways in Warfare*, ed. Frank A. Keirman, Jr. and John K. Fairbank (Cambridge MA, 1974), 151-201; Joseph Needham, "China's Trebuchets, Manned and Counterweighted," in *On Pre-Modern Technology and Science*, 107-45; Sergej A. Skoljar, "L'Artillerie de jet à l'époque Sung," *Études Song*, series 1, *Histoire et institutions* (Paris, 1978), 119-42; Robin D. S. Yates, "Siege Engines and Late Zhou Military Technology," in *Explorations in the History of Science and Technology in China*, ed. Li Guohao, Zhang Mehgwen, and Cao Tianqin (Shanghai, 1982), 414-19. For a discussion of the historical development of the trebuchet outside of China, the following studies are of fundamental importance: Guillaume Dufour, *Mémoire sur l'artillerie des anciens et sur celle du Moyen Âge* (Paris, 1840), 87-112; Louis-Napoléon Bonaparte, *Études sur le passé et l'avenir de l'artillerie*, 6 vols. (Paris, 1848-71), 2:26-61; *The Book of Ser Marco Polo, the Venetian Concerning the Kingdoms and Marvels of the East*, ed. Henry Yule, 3rd ed., 3 vols. (London, 1926), 2:161-69; G. Köhler, *Die Entwicklung des Kriegswesens und der Kriegführung in der Ritterzeit von Mitte des II. Jahrhunderts bis zu den Hussitenkriegen*, 3 vols. (Breslau, 1886-1890),

it had reached the eastern Mediterranean, where it became the principal heavy artillery engine, and the torsion artillery of classical antiquity was phased out altogether. Tension artillery did survive, but it was relegated to a secondary position in the siege arsenal.<sup>14</sup>

A comparison of the performance, construction, and operational features of the traction trebuchet with that of the most powerful torsion engines of antiquity will clearly show why the rotating-beam siege machine became the principal heavy artillery engine in the Mediterranean world.<sup>15</sup> The common maximum missile capacity of a torsion

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3:139–211; Rudolf Schneider, *Die Artillerie des Mittelalters* (Berlin, 1910); Bernhard Rathgen, *Das Geschütz im Mittelalter* (1928; Düsseldorf, 1987), 578–638; Huuri, "Geschützwesen"; Claude Cahen, "Un traité d'armurerie pour Saladin," *Bulletin d'études orientales* 12 (1947–48): 118–20, 141–43, 157–59; J.-F. Fino, "Machines de jet médiévales," *Gladius* 10 (1972): 25–43; Fino, *Forteresses*, 149–63; Donald R. Hill, "Trebuchets," *Viator* 4 (1973): 99–115; C. M. Gillmor, "The Introduction of the Traction Trebuchet into the Latin West," *Viator* 12 (1981): 1–8; D. J. C. King, "The Trebuchet and other Siege-Engines," *Chateau Gaillard* 9–10 (1982): 457–69.

<sup>14</sup> The transmission westward of the traction trebuchet from China probably began sometime during the fifth century, passing to the settled regions of Sogdiana, the realms of the Sasanian Empire, and reaching the Mediterranean world by the sixth century. The earliest unambiguous description of the traction trebuchet in the Mediterranean area refers to its use in 597 by the Avaro-Slavs in their siege of Thessaloniki. John, Archbishop of Thessaloniki, who recorded his eyewitness account of the siege in the *Miracula of St. Demetrius*, provides one of the most detailed and precise descriptions of a traction trebuchet to be found in any historical source (*Miracula S. Demetrii*, ed. Paul Lemerle, *Les Plus Anciens Recueils des Miracles de saint Démétrius et la Pénétration des slaves dans les Balkans*, vol. 1, *Le Text*, vol. 2, *Commentaire* [Paris, 1979], 1:154). The description of the trebuchet in this account has been translated and analyzed by Vryonis, but the Greek term used for the trestle-framed traction trebuchet *πετροβολος* (*petrobolos*) or "rock-thrower" has been translated as "ballista" and "catapult", giving the impression that this machine was a tension or torsion catapult rather than a traction trebuchet (Speros Vryonis, Jr., "The Evolution of Slavic Society and the Slavic Invasions in Greece: The First Major Slavic Attack on Thessaloniki, A.D. 597," *Hesperia* 50 [1981]: 378–90). A scholarly debate still rages over the date of the Avaro-Slavic siege of Thessaloniki during Maurice's reign in the sixth century, with Lemerle, Yannopoulos, and Whitby arguing for 586 and Vryonis for 597. On this dating question, see Lemerle, *S. Démétrius*, 2:50–61; P. A. Yannopoulos, "Le pénétration slave en Argolide," *Études Argiennes in Bulletin de Correspondance Hellénique, Suppl.* 6 (1980): 323–71; Michael Whitby, *The Emperor Maurice and his Historian: Theophylact Simocatta on Persian and Balkan Warfare* (Oxford, 1988), 117–21. On the demise of torsion artillery in late antiquity, see my article, "Artillery in Late Antiquity: Prelude to the Middle Ages," in *Medieval City Under Siege*, ed. Ivy Corfis and Michael Wolfe (Woodbridge, 1995), 131–73.

<sup>15</sup> On the artillery of classical antiquity, see Erwin Schramm, *Die Antiken Geschütze de Saalburg* (1918; reprint, Bad Homburg, 1980); E. W. Marsden's *Greek and Roman Artillery: Historical Development* (Oxford, 1969); idem, *Greek and Roman Artillery: Technical Treatises* (Oxford, 1971); Nicolae Gudea and Dietwulf Baatz, "Teile Spätromischer Ballisten aus Gornea und Orsova (Rumänien)," *Saalburg Jahrbuch* 31 (1974): 50–72; Dietwulf Baatz, "The Hatra Ballista," *Sumer* 33 (1977): 141–51; idem, "Das Torsionsgeschütz von Hatra," *Antike Welt* 9 (1978): 50–7; idem, "Recent Finds of Ancient

catapult was "60 lb." (theoretically 26 kg.). A catapult throwing a "60 lb." shot, according to Philo of Byzantium, would not cause serious damage if it were positioned 160 m. from the wall, suggesting that the effective range of such a machine was less than this distance. Marsden concludes that the maximum effective range of a "60-lb." stone-projecting torsion catapult was probably within 150 yards (137.16 m.).<sup>16</sup> Lawrence has pointed out that such large machines were rarely used "because of the steeply diminishing returns involved," and smaller engines, of the middle weight "40 lb." and "30-lb." capacity, were the general order of the day.<sup>17</sup> The onager, the "one-armed" torsion-driven sling machine of late antiquity, could propel a 5 to 10 lb. stone a distance of 500 yards (457.2 m.).<sup>18</sup> By comparison, the most powerful traction trebuchets could discharge stones of up to about 90 kg. (200 lb.) in weight for distances as far as 120 m.<sup>19</sup> The average rate

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Artillery," *Britannia* 9 (1978): 1-17, plates 1-5; idem, "Teile Hellenistischer Geschütze aus Griechenland," *Archäologischer Anzeiger* (1979), 68-75; idem, "Ein Katapult der *Legio IV Macedonica* aus Cremona," *Römische Mitteilungen*, 87 (1980): 283-99; idem, "Hellenistische Katapulte aus Ephyra (Epirus)," *Athenische Mitteilungen* 97 (1982): 211-33; idem, "Katapultteile aus dem Schiffswrack von Mahdia (Tunesien)," *Archäologischer Anzeiger* (1985): 677-91; idem, "Eine Katapult-Spannbuchse aus Pityus, Georgien (UDSSR)," *Saalburg Jahrbuch* 44 (1988): 63-4; idem, "Die Römische Jagdarmbrust," *Archäologisches Korrespondenzblatt* 21 (1991): 283-90; Dietwulf Baatz and Michel Feugère, "Éléments d'une catapulte romaine trouvée à Lyon," *Gallia* 39 (1981): 201-09; A. G. Drachmann, *The Mechanical Technology of Greek and Roman Antiquity* (Copenhagen, 1963), 186-91; idem, "Biton and the Development of the Catapult," *Prismata, Naturwissenschaftsgeschichtliche Studien, Festschrift für Willy Hartner*, ed. Y. Maeyama and W. G. Saltzer (Wiesbaden, 1977), 119-31; Barton C. Hacker, "Greek Catapults and Catapult Technology: Science, Technology and War in the Ancient World," *Technology and Culture* 9 (1968): 34-50; Yvon Garlan, *Recherches de poliorcétique grecque* (Paris, 1974), 212-25; J. G. Landels, *Engineering in the Ancient World* (Berkeley, 1978), 99-132; Arnold W. Lawrence, *Greek Aims in Fortifications* (Oxford, 1979), 43-49; Werner Soedel and Vernard Foley, "Ancient Catapults," *Scientific American* 240 (March 1979): 150-60; P. Fleury, "Vitruve et la nomenclature des machines de jet romaines," *Revue des Études Latines* 59 (1981): 216-34.

<sup>16</sup> Marsden, *Historical Development*, 90-1.

<sup>17</sup> Lawrence, *Greek Aims*, 45-6.

<sup>18</sup> Marsden, *Technical Treatises*, 254.

<sup>19</sup> Al-Ṭarsūsī states that the maximum range of a traction trebuchet is 60 *bā'* or about 120 m. (Cahen, "Traité," 118, 141), but he does not specify the maximum weight of a missile fired by such a machine. A maximum missile capacity of about 90 kg. (200 lb.) for the traction trebuchet seems to be confirmed by the fact that the weight of one of the heaviest stone-shots recorded for a traction trebuchet was said to be one large *Khilātī qintār* (96.21 kg. or 212.10 lb.) (Al-Faḥḥ ibn 'Alī al-Bundārī, *Ḍubdat al-nuṣrah wa-mukḥbat al-uṣrah*, ed. M. T. Houtsma, *Recueil de textes relatifs à l'histoire des Seljoucides*, vol. 2 [Leiden, 1889], 42). Lighter weight stone-shot, of course, could be launched much farther than 120 m. At the siege of Toulouse in 1218, Simon de Montfort was killed by a stone-shot fired from a traction trebuchet positioned at

of fire of the traction trebuchet also surpassed that of the ancient torsion machines. Lawrence conjectures that "each catapult shot once or twice a minute."<sup>20</sup> An experienced crew operating a traction trebuchet could fire four stone-shots per minute. At the crusader siege of Lisbon in 1147, two traction trebuchets, operated by pulling crews organized in shifts of 100 men each, fired 5,000 stones in ten hours.<sup>21</sup> Each machine therefore fired 250 shots an hour or one shot every 14.42 seconds, giving a sequence of fire slightly better than four shots per minute.

Hence, the most powerful traction trebuchet, while maintaining almost the same maximum effective range as the largest commonly used torsion catapult, could launch projectiles nearly four times heavier than those fired from the largest siege engines of classical antiquity and do so at a more rapid rate. Since the speed with which stone missiles could demolish an expanse of masonry increased with their weight, the heavier missile capacity of the traction trebuchet rendered the new rotating-beam siege machine a truly formidable weapon. In addition to this significant advantage, the traction trebuchet was far easier to construct, operate, and maintain. The design of both the torsion catapult and the onager was much more complex than the traction trebuchet and required greater technical skill, particularly in

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Place Saint-Sernin, 100 fathoms, or 600 ft. (182.88 m.), away (see n. 12 above). At the siege of Shayzar in 532/1138, Usāmah b. Munqidh states that the Byzantine forces under emperor John II Comnenus set up trebuchets which fired stone-shots weighing between 20 and 25 *raṭls* a distance farther than a bow-shot (*Kitāb al-Iḥbār*, ed. Qāsim al-Sāmarrāʾī [Riyadh, 1987], 134). Since Usāmah was a native of Shayzar, the measure of weight which he utilized was most probably the Shayzar *raṭl*, which was equivalent to 2.137 kg. (Walther Hinz, *Islamische Masse und Gewichte* [Leiden, 1970], 31). The weight of the stone-shots launched by the Byzantine army was therefore between 42.74 and 54.425 kg. The information provided by Usāmah also allows us to gauge the distance of the launch of these stone-shots. If the stone-shots were fired farther than a bow-shot, this distance would probably be beyond the effective range of a military, rather than a sporting, bow. According to Marsden, the maximum effective range of a composite bow for military purposes was in the region of 150 to 200 yards (137.16 to 182.88 m.) (*Historical Development*, 12). Denys Pringle, utilizing information contained in Maurice's *Strategicon*, estimates that the maximum effective range of a bow-shot to be 140 m. (*The Defence of Byzantine Africa from Justinian to the Arab Conquest*, 2 vols. [Oxford, 1981], 1:150). Considering that the Byzantine trebuchets fired stones beyond the range of a bow-shot, the distance reached by these stones would probably have been at least 150 m. and most probably closer to the 200 m. mark or beyond.

<sup>20</sup> Lawrence, *Greek Aims*, 49.

<sup>21</sup> *De expugnatione lyxbonensi*, ed. and trans. Charles W. David (New York, 1936), 142-3.

the construction of the torsion and winch mechanisms. The simple method of operating the traction trebuchet—by a team of men pulling on ropes, as opposed to the complicated process of twisting the springs of a torsion engine by means of a winch—made the weapon far easier to operate and to maintain. The traction trebuchet was also an all-weather weapon, whereas the motive power of the torsion engines was greatly reduced by damp, rendering them less effective in foul weather and necessitating their constant protection from changes in humidity.<sup>22</sup> Due to all of these advantages, the traction trebuchet became the principal heavy artillery engine used in the Mediterranean region, and tension and torsion artillery was relegated to a secondary position in the medieval siege arsenal.

The counterweight trebuchet, introduced by either the Byzantines or Muslims during the first half of the twelfth century, was a great advance over its traction relative. This machine could not only launch missiles of enormous weight (more than 300 kg.), but it could do so with pinpoint accuracy. Such a powerful and accurate artillery weapon generated a revolution in siegecraft and spurred corresponding changes in defensive planning to counter the advances made in offensive technology. While the twelfth century marked the advent of this weapon, it is really during the thirteenth century that chroniclers begin to take note of a wide variety of these machines, both traction and counterweighted. Medieval authors used a multiplicity of terms to refer to rotating-beam siege machines. Sometimes they used the same name for different machines, and sometimes they called similar machines by different names. The technical and historical literature on the trebuchet produced in the realms of Islam provides the key to solving the problem of nomenclature related to this siege engine. This is due to the fact that Arabic—unlike medieval Latin, the European vernaculars, and Greek—employs a consistent nomenclature

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<sup>22</sup> The all-weather capability of the trebuchet was dramatically displayed in 223/838 at the battle of Anzen between the 'Abbāsid army under the caliph's general Afshin and the Byzantine army under emperor Theophilus. On the afternoon of July 22, Turkish archers isolated and surrounded the emperor and a band of 2,000 Khurramī refugees from al-Jibāl (modern Luristān) and were closing in for the kill when a rainstorm rendered their bows useless. They then brought up traction trebuchets and hurled stones on the Byzantine force which then dispersed in panic (Michael the Syrian, *Chronique de Michel le Syrien*, 4 vols., trans. J.-B. Chabot [Paris, 1905], 3:95, 4:535; Gregorius Bar Hebraeus, *The Chronography of Gregory Abū'l Faraj*, trans. E. A. W. Budge, 2 vols. [Oxford, 1932], 1:136; Warren Treadgold, *The Byzantine Revival, 780–842* [Stanford, 1988], 300).

in both its technical and historical literature for the various types of trebuchets that were developed. This consistent use of terminology makes it possible to determine with some degree of assurance the nomenclature related to the trebuchet in the Latin West and the Byzantine Empire.

Arab and Islamic engineers were at the forefront of the development of the trebuchet and produced the only technical treatises devoted to both the traction and counterweighted versions of this machine.<sup>23</sup> The only collection of technical literature which exists on the trebuchet outside the domain of Islamic civilization is to be found in China, and here only the traction machine receives attention.<sup>24</sup> The tradition begun by the ancient Greeks of technical literature devoted to artillery may well have been continued by Byzantium, but no trace of this literature survives dealing with the trebuchet.<sup>25</sup>

<sup>23</sup> The two most important technical treatises on medieval artillery are the military manual of Marḍī b. 'Alī b. Marḍī al-Ṭarsūsī entitled, *Tabṣīrat arbāb al-albāb fī kaḥfiyat al-naḥāh fī al-ḥurūb min al-aswā' wa-nashr al-lām al-i'lām fī al-ʿudād wa-al-ālāt al-muʿīnah ʿalā liqāʾ al-aʿdāʾ* (*Instructions of the Masters on the Means of Deliverance in Wars from Disasters, and the Unfurling of the Banners of Information: Equipment and Engines which Aid in Encounters with Enemies*) (MS. 264, Huntington Collection, Bodleian Library, Oxford University, Oxford; MS. 2848 mü, Ayasofya Collection, Süleymaniye Library, İstanbul) and *Kitāb anīq fī al-manājanīq* (*An Elegant Book on Trebuchets*) by Ibn Urunbughā al-Zaradkāsh (MS. 3469/1, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, İstanbul). The first treatise contains the earliest full-length description of the counterweight trebuchet and illustrations and descriptions of four different types of traction trebuchets. This treatise was written for Saladin around 583/1187 and is one of the most important military works produced in Islam during the Middle Ages. The section of this treatise dealing with artillery has been published by Claude Cahen ("Traité," pp. 103–63). The second Arabic treatise is the longest and most profusely illustrated work in any language dealing with the trebuchet. This treatise, written by Ibn Urunbughā al-Zaradkāsh in 867/1462–63, is not only the most important work in any language on the trebuchet, it is one of the most important martial technical treatises produced during the Middle Ages. Two editions of this manuscript have appeared, both entitled *al-Anīq fī al-manājanīq*. The first is edited by Nabīl Muḥammad ʿAbd al-ʿAzīz Aḥmad (Cairo, 1981), and the second by Iḥsān Hindī (Aleppo, 1985). Hereafter cited as *Anīq* (Aḥmad) and *Anīq* (Hindī) respectively.

<sup>24</sup> These Chinese treatises are mentioned and commented upon by Joseph Needham in his article, "China's Trebuchets," and in his book, *Science and Civilisation in China*, vol. 5, pt. 7: *Military Technology: The Gunpowder Epic* (Cambridge, 1989), 18–39. On these treatises, see also Robin D. S. Yates, 414–24.

<sup>25</sup> Constantine Porphyrogenitus mentions that "books on siege machines, including trebuchets" (βιβλία μηχανικά, ἐλεπόλεις ἔχοντα) are part of the personal imperial *vestiariion* for campaigns, indicating that such books did exist. See *Constantine Porphyrogenitus: Three Treatises on Imperial Military Expeditions*, ed. and trans. John F. Haldon, vol. 28 of *Corpus fontium historiae byzantinae* (Vienna, 1990), 106–07. Haldon has translated the above quoted phrase as, "books on mechanics, including siege machinery." Ἐλεπόλις (*helepolis*, "city-taker") has been recognized as an imprecise term (Lawrence,

The trebuchet is featured in Western European engineering and military treatises, as well as in narrative sources, dating from the Middle Ages to the Renaissance, but this literature is not genuinely technical or constructional in nature.<sup>26</sup>

Through a careful analysis of the pertinent historical sources and military manuals, the Arabic nomenclature for rotating-beam siege machines can be established. The early Arabic historical sources noted the existence of two types of traction rotating-beam siege machines. The term *ʿarrādah* (pl. *ʿarrādāt*) was used to designate the small pole-framed trebuchet (figs. 1–3).<sup>27</sup> This term is derived from a nearly iden-

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437 n. 14). It was originally used to refer to a giant mobile siege tower (Marsden, *Technical Treatises*, 70–73, 84–90; Otto Lendle, *Text und Untersuchungen zum technischen Bereich der antiken Poliorketik* [Wiesbaden, 1983], 36–70). As advances were made in siegecraft and new or improved siege machines were introduced, the term *helepolis* was applied to the most powerful machines. *Helepolis* is later used to refer to a battering-mantlet (See Lawrence, cited above). In the Middle Ages, it is often used in Byzantine chronicles to indicate the large trestle-framed traction trebuchet (Theophylact Simocatta, *History*, ed. C. de Boor, re-ed. P. Wirth [Stuttgart, 1972], 2.16.10, 2.18.2, 3.11.2, 6.5.4; Michael Attaliates, *Historia*, ed. I. Bekker, *Corpus scriptorum historiae byzantinae* [Bonn, 1853], 151; Nicetas Chroniates, *Historia*, ed. Jan-Louis van Dieten, *Corpus fontium historiae byzantinae*, vol. 11, pts. 1 and 2, *Seris Berolinensis* [Berlin, 1975], 18, 26, 38, 163, 168, 180, 282, 287, 298, 605, 606, 619, 624, 636). Anna Commena employs the term *helepolis*, but she seems to use it as a generic term for any type of traction trebuchet (*Alexiade: Règne de l'empereur Alexis I Comnène (1081–1118)*, ed. and trans. Bernard Leib, *Collection byzantine publiée sous le patronage de l'Association Guillaume Budé*, 3 vols. [Paris, 1937–45], 2.8.5, 4.1.2, 4.3.4, 4.5.1, 6.1.1, 6.1.2, 11.1.6, 11.2.1, 11.11.7). To differentiate between the two types of traction trebuchets, she appears to use *πετροβολος* (*petrobolos*) to indicate the trestle-framed machine and *λιθοβολος* (*lithobolos*) to designate the pole-framed machine. This mirrors earlier classical usage of these terms by referring to the larger stone-projecting artillery piece as a “rock-thrower” (*petrobolos*) and to the smaller one as a “stone-thrower” (*lithobolos*). Other surviving Byzantine military treatises do make mention of the trebuchet under several different terms, but do not include any technical details on the machine and provide no information regarding its construction. Byzantine historical sources on occasion do provide constructional details on the trebuchet.

<sup>26</sup> Alfonso X the Learned, *Las Siete Partidas* ed. Real Academia de la Historia, 3 vols. (Madrid, 1807); Giles of Rome (Aegidius Colonna), *De regimine principum libere III*, ed. F. H. Samaritanum (Rome, 1607); Marino Sanuto, *Liber secretorum fidelium Crucis super Terrae Sanctae recuperatione et conservatione* (Hannover, 1611); Agostino Ramelli, *Le diverse et artificiose machine* (Paris, 1588); Villard de Honnecourt, *The Portfolio of Villard de Honnecourt*, MS. Fr. 19093, Bibliothèque Nationale, Paris. The latest and most complete edition of this work is: *Carnet de Villard de Honnecourt, XIII<sup>e</sup> siècle*, with contributions by Alain Erlande-Brandenburg, Régine Pernoud, Jean Gimpel, and Roland Bechmann (Paris, 1986).

<sup>27</sup> Al-Ṭarsūsī has provided a brief description of this trebuchet, which he calls a *luʿbah* (“Plaything”) (Cahen, 120, 143), and some illustrations of it are to be found in the military treatise of Ibn Urunbughā, where it is identified as a *manjanīq ʿarrādah* (fig. 1) [*Anīq* [Ahmad], 73, 94, 95; *Anīq* [Hindī], 109, 117, 118. On the Chinese trebuchets which are structurally similar to the *ʿarrādah/luʿbah*, see Needham, 130–2.



tical Aramaic form, which is a direct translation of the Greek word *οναγρος* (*onagros*), or “wild ass”.<sup>28</sup> Although the Aramaic term may have originally referred to the one-armed torsion catapult known as the onager, its Arabic form denotes a small pole-framed traction trebuchet. The term *manjanīq* (pl. *majāniq*, *manājīq*, *manājanīq*, and *majanīqāt*)

Byzantine trebuchets resembling the *ʿarrādah/luʿbah* are illustrated in the Byzantine manuscript of Scylitzes (fig. 2) (Ada Bruhn Hoffmeyer, “Military Equipment in the Byzantine Manuscript of Scylitzes in Biblioteca Nacional in Madrid,” *Gladius* 5 [1966]: 133 and figs. 42, 45, and 46). Western European trebuchets of the same configuration are found in the late twelfth-century manuscript of *Carmen de rebus Siculis* by Peter of Eboli from the Norman Kingdom of South Italy and Sicily (fig. 3). See fols. 96r, 97r, 98r, 104r, 108r, 109r, 111r, 114r, and 132r of the two editions of this manuscript. The first edition has been edited by G. B. Siragusa, *Carmen de rebus Siculis* (Rome, 1905), and the second has been edited by E. Rota, *De rebus Siculis carmen, Rerum italicarum scriptores*, 2d ed., vol. 31, pt. 1 (Città di Castello, 1904). See also Wilhelm Erben, “Beiträge zur Geschichte des Geschützwesens im Mittelalter,” *Zeitschrift für historische Waffen- und Kostümkunde* 7 (1916): 93, 94, 96, 98, 99. Another illustration of a Western European trebuchet resembling the *luʿbah* is found in the thirteenth-century chronicle of Genoa preserved in the Bibliothèque Nationale in Paris (*Annali genovesi di Caffaro*, fol. 141v, MS Lat. 10136, reproduced in Martin Erbostter, *The Crusades*, trans. C. S. V. Salt [Leipzig, 1978], p. 115, fig. 59) and another one appears in the thirteenth-century English chronicle *Historia Major*, written by Matthew Paris (Montague R. James, “The Drawings of Matthew Paris,” *Walpole Society* 14 [1925–26]: 1–26, pl. 14). For references to the *ʿarrādah* in early Arabic historical sources, see Agapius of Manbij, *Kitāb al-Unwān*, ed. L. Cheikho, *Corpus Scriptorum Christianorum Orientalium, Scriptores Arabici*, ser. 3, vol. 5 (Beirut, 1912), 339 (628, Edessa); Muḥammad b. ʿUmar al-Wāqidi, *Kitāb al-maghāzī*, ed. Marsden Jones, 3 vols. (Oxford, 1966), 3:960; Muḥammad ibn Saʿd, *Kitāb al-tabaqāt al-kabīr*, 9 vols. (Beirut, 1957), 1:312 (8/630, Jurash); Eutychius, *Annales*, ed. L. Cheikho, B. Carra de Vaux, and H. Zayyat, 2 vols., *Corpus Scriptorum Christianorum Orientalium, Scriptores Arabici*, ser. 3, vol. 7 (Beirut, 1906–09), 2:14 (14/635, Damascus); Muḥammad b. Jarīr al-Tabarī, *Taʾrikh al-rusul wa-al-mulūk (Annales)*, ed. M. J. de Goeje et al., 15 vols. (Leiden, 1879–1901), I, 2428 (16/637, Bahurasir); Abū Muḥammad Aḥmad ibn Aʿtham al-Kūfī, *Kitāb al-futūḥ*, 4 vols. (Beirut, 1986), 1:251 (18 or 19/639–40, Edessa); Agapius, *Kitāb al-Unwān*, 344 (18 or 19/639–40, Tell Mawzin); Aḥmad b. Yahyā al-Balādhurī, *Futūḥ al-Buldān*, ed. Michael Jan De Goeje (Leiden, 1866), 176 (19/640, Raʿs al-Ayn); Balādhurī, *Futūḥ*, 221 (25/645, Alexandria); Ibn Aʿtham al-Kūfī, *al-Futūḥ* 1:365 (31/652, Sicily); Tabarī, *Taʾrikh*, I, 2889, 2892 (32/652–53, Balanjar); Ibn Aʿtham al-Kūfī, *al-Futūḥ* 4:139 (97/716, Synnada); Ibn Aʿtham al-Kūfī, *al-Futūḥ* 4:142 (98/717, Pergamum); Ibn ʿAsākir, *Taʾrikh madīnat Dimashq*, fol. 18r, MS. Or. 9052, British Museum (717–18, Constantinople); Tabarī, *Taʾrikh*, II, 1692 (121/739, Shāsh); Agapius, *Kitāb al-Unwān*, 365 (127/745, Hims); Tabarī, *Taʾrikh*, II, 1927 (128/746, Merv), III, 63 (132/749, Wāsit), al-Nuwayrī, *Nihāyat al-ʿarab* 22:155 (190/806, Hiraqlah); Tabarī, *Taʾrikh*, III, 868, 869, 871, 881, 895 (197–98/812–13, Baghdād), III, 1213 (222/837, Budhdh), III, 1418 (238/853, Ushūm), *Kitāb al-ʿuyūn wa-al-ḥadāʾiq*, 580, 581, Tabarī, *Taʾrikh*, III, 1551, 1560, 1583, 1621, 1626 (251/865, Baghdād), III, 1982, 1983, 2003, 2004, 2042, 2052, 2054, 2055, 2058 (267–69/881–83, al-Mukhtārah).

<sup>28</sup> R. Payne Smith, *Thesaurus syriacus*, 2 vols. (Oxford, 1879–1927), 2:2988; Siegmund Fraenkel, *Die aramäischen Fremdwörter im Arabischen* (Leiden, 1886), 243; Carl Brockelmann, *Lexicon syriacum*, 2d ed. (Halle, 1928), 547.

was used to designate the larger trestle-framed rotating-beam siege machine.<sup>29</sup> This term is derived from the Aramaic word *manganikē*,

<sup>29</sup> On the *manjanīq*, see Cahen, 118–20, 141–43, 157–59; Ibn Urunbughā, *Anīq* [Hindī], 41–91, 109–113. For references to the *manjanīq* in early Arabic historical sources, see Wāqidi, *Kitāb al-maghāzī* 2:648, 664, 670 (8/630, Khaybar); Wāqidi, *Kitāb al-maghāzī* 2:805, 3:924, 3:960, Tabarī, *Ta'rikh*, I, 1669, Ibn Sa'd, *al-Tabaqāt al-kabīr* 1:312, 5:503 (8/630, Jurash); Wāqidi, *Kitāb al-maghāzī* 3:923, 927, Ahmad b. Yahyā al-Balādhurī, *Ansāb al-ashraf*, vol. 1, ed. Muhammad Hamīdullāh (Cairo, 1959), 366, 367, Ibn Sa'd, *al-Tabaqāt al-kabīr* 2:157, 158, 159 (8/630, al-Ṭā'if); Eutychius, *Annales* 2:14; Tabarī, *Ta'rikh*, I, 2152 (14/635, Damascus); Tabarī, *Ta'rikh*, I, 2427, 2428, 2430 (16/637, Bahurasir); Ahmad ibn 'Abd al-Wahhāb al-Nuwayrī, *Nihāyat al-'arab fī funūn al-adab*, ed. Muḥammad Abū al-Faḍl Ibrāhīm, 27 vols. to date (Cairo, 1964–), 20:243, 244 (18/639, al-'Arish); Ibn A'tham al-Kūfī, *al-Futūḥ* 1:259 (19/640, Nisibis); 'Abd al-Raḥmān b. 'Abd Allāh ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, ed. Charles C. Torrey (New Haven, 1922), 62 (19–20/640–41, Babylon [Egypt]); Balādhurī, *Futūḥ*, 389, Tabarī, *Ta'rikh*, I, 2700 (23/644, Iṣṭakhr); Balādhurī, *Futūḥ*, 221, Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr*, 77 (25/645, Alexandria); Ibn A'tham al-Kūfī, *al-Futūḥ* 1:365 (31/652, Sicily); Tabarī, *Ta'rikh*, I, 2889 (32/652–53, Balanjar); Balādhurī, *Futūḥ*, 200 (34/654, Dvin); Agapius, *Kitāb al-Unwān*, 349 (34/654, al-'Arish); Balādhurī, *Futūḥ*, 396 (43/663–64, Kābul); Khalfāh ibn Khayyāt al-'Uṣfurī, *Ta'rikh Khalīfah Ibn Khayyāt*, ed. Suhayl Zakkār, 2 vols. (Damascus, 1967), 248 (50/670, Jalūlā'); Tabarī, *Ta'rikh*, II, 426, 537 (64/683, Mecca); Ahmad b. Yahyā al-Balādhurī, *Ansāb al-Ashraf*, vol. 5, ed. S. D. Goitein (Jerusalem, 1936), 301–03, Ibn A'tham al-Kūfī, *al-Futūḥ* 3:375, 376 (71/691, Qarqisiyā); Tabarī, *Ta'rikh*, II, 844–45; Balādhurī, *Ansāb* 5:358–60, 362, 363, 376 (73/692, Mecca); Balādhurī, *Futūḥ*, 436–47 (89/708, Daybul); Tabarī, *Ta'rikh*, II, 1228, 1230 (91/710, Shūmān); Tabarī, *Ta'rikh*, II, 1243, 1244, 1245, Ibn A'tham al-Kūfī, *al-Futūḥ* 4:180 (93/712, Samarqand); Ibn A'tham al-Kūfī, *al-Futūḥ* 4:139 (97/716, Synnada); Ibn A'tham al-Kūfī, *al-Futūḥ* 4:142 (98/717, Pergamum); *Kitāb al-'uyūn wa-al-ḥadā'iq*, ed. M. J. de Goeje (Leiden, 1871), 24, 27, Ibn 'Asākīr, *Ta'rikh madīnat Dimashq*, fol. 18r, MS Or. 9052, British Museum (717–18, Constantinople); Tabarī, *Ta'rikh*, II, 1443 (104/722, Khujanda); *Kitāb al-'uyūn wa-al-ḥadā'iq*, 89 (105/723–24, Muwāsā); Ibn Khayyāt al-'Uṣfurī, *Ta'rikh*, 494 (108/726, Warthān); Ibn Khayyāt al-'Uṣfurī, *Ta'rikh*, 502 (112/730, Ardabīl); Balādhurī, *Futūḥ*, 207 (113/731, al-Bāb); Tabarī, *Ta'rikh*, II, 1582 (117/735, Amul); Ibn Khayyāt al-'Uṣfurī, *Ta'rikh*, 515, 'Izz al-Dīn ibn al-Athīr, *al-Kāmil fī al-ta'rikh*, ed. C. J. Tornberg, 13 vols. (reprint, Beirut, 1965), 5:198, al-Nuwayrī, *Nihāyat al-'arab* 21:425 (118/736, ḥiṣn of Wartanīs); Tabarī, *Ta'rikh*, II, 1692 (121/739, Shāsh); Ibn Khayyāt al-'Uṣfurī, *Ta'rikh*, 531 (124/742, Qābis); Tabarī, *Ta'rikh*, II, 1911 (127/744, Ḥiṣn al-Kāmil); Tabarī, *Ta'rikh*, II, 1912, al-Nuwayrī, *Nihāyat al-'arab* 21:515 (127/745, Ḥims); Tabarī, *Ta'rikh*, II, 1931 (128/746, Merv); Tabarī, *Ta'rikh*, III, 7, Ibn A'tham al-Kūfī, *al-Futūḥ* 4:355, al-Nuwayrī, *Nihāyat al-'arab* 22:31 (131/749, Nihāwand); al-Nuwayrī, *Nihāyat al-'arab* 22:59 (133/751, Malaṭīyah); Ibn al-Athīr, *al-Kāmil* 5:528, al-Nuwayrī, *Nihāyat al-'arab* 23:340 (144/761, Toledo); Balādhurī, *Futūḥ*, 184 (149/766, Ḥiṣn Kamkh); Tabarī, *Ta'rikh*, III, 476 (160/776–77, Barbad); Tabarī, *Ta'rikh*, III, 499, al-Nuwayrī, *Nihāyat al-'arab* 22:114 (163/779–80, Sēmalouos); Ibn al-Athīr, *al-Kāmil* 6:68, al-Nuwayrī, *Nihāyat al-'arab* 23:348 (166/782, Saragossa); al-Nuwayrī, *Nihāyat al-'arab* 22:155, 157 (190/806, Hiraqlah); Tabarī, *Ta'rikh*, III, 868, 869, 870, 871, 879, 881, 883, 895, 906, 911, 936, 939 (197–98/812–13, Baghdād); Ibn A'tham al-Kūfī, *al-Futūḥ* 4:463 (215/830, Qurrah [= Koron]); *Kitāb al-'uyūn wa-al-ḥadā'iq*, 392, 393, 485, 491, Tabarī, *Ta'rikh*, III, 1238, 1245, 1247, 1248 (223/838, Amorium); al-Nuwayrī, *Nihāyat al-'arab* 23:384 (231/845, Cordoba); *Kitāb al-'uyūn wa-al-ḥadā'iq*, 540, Tabarī, *Ta'rikh*, III, 1381 (234/848, Marand); Tabarī,

which is a cognate of the Greek term μαγγανικόν (*manganikón*).<sup>30</sup> Al-Ṭarsūsī identified three different kinds of trestle-framed traction trebuchets, each having a different type of frame. The Arab trebuchet (*al-manjanīq al-ʿarabī*) had a trapezoidal trestle frame (fig. 4). The Persian or Turkish trebuchet (*al-manjanīq al-fārisī wa-huwa al-turkī*) had a triangular frame with one strut extending beyond the other. The frame is shaped in the form of the Greek letter *lambda* and is identical to the Chinese “crouching-tiger” trebuchet (fig. 5).<sup>31</sup> The Christian or Frankish trebuchet (*al-manjanīq al-rūmī wa-huwa al-īfranġī*) has a trestle frame in the shape of an isosceles triangle with the tops of the two struts extending beyond the apex (fig. 6).

During the thirteenth century five different types of trebuchets are mentioned in Arabic historical sources. Two of these are traction machines: the *ʿarrādah*, or *luʿbah* (the Plaything) as it is sometimes called, refers to the pole-framed trebuchet,<sup>32</sup> while the *manjanīq shayṭānī* (the Devilish trebuchet) may have been identical to the *ʿarrādah/luʿbah* or was a traction version of the *manjanīq fīranġī* (see below).<sup>33</sup> The three

*Taʾrīkh*, III, 1418 (238/853, Ushtūm); Abū al-Walīd Muḥammad b. ʿAbd Allāh al-Azraqī, *Kūtab akhbār Makkah*, ed. Ferdinand Wüstenfeld (Leipzig, 1858), 212 (241/855, Mecca, repair of Kaʿbah); Ṭabarī, *Taʾrīkh*, III, 1584 (251/865, castle in Armenia); *Kūtab al-ʿuyūn wa-al-ḥadāʾiq*, 580, 581, 582, Ṭabarī, *Taʾrīkh*, III, 1541, 1551, 1552, 1559, 1560, 1561, 1578, 1579, 1583, 1584, 1597, 1621, 1626 (251/865, Baghdad); Ṭabarī, *Taʾrīkh*, III, 1982, 1983, 2003, 2004, 2042, 2054, 2055 (267–69/881–83, al-Mukhtārāh); Ṭabarī, *Taʾrīkh*, III, 2186 (286/899, Āmid); al-Nuwayrī, *Nihāyāt al-ʿarab* 24:138 (289/902, Cosenza).

<sup>30</sup> Smith, *Thesaurus syriacus*, 2:2170; Brockelmann, *Lexicon syriacum*, 547. See also n. 39 below and text.

<sup>31</sup> On the Chinese “crouching-tiger” trebuchet (*hu tun phao*), see Needham, *Gunpowder Epic*, 21–2, 277–78, and fig. 74.

<sup>32</sup> Four *luʿbahs* were used alongside eighteen other trebuchets (*manjanīq*) by the Byzantine emperor John II Comnenus in his siege of Shayzar in 532/1138 (Ibn al-ʿAdīm, *Ḍubdat al-ḥalab min taʾrīkh Ḥalab*, ed. Sāmī al-Dahhān, 3 vols. [Damascus, 1951–68], 2:267). In 626/1229 the Ayyūbid prince al-Nāṣir Dāʿūd set up *luʿab* on the fortifications of Damascus to protect the city from the besieging forces of al-Ashraf Mūsā and al-Kāmil (Muḥammad b. Ibrāhīm b. Muḥammad al-Anṣārī, *Taʾrīkh dawlat al-akrād wa-al-atrāk*, fol. 123r, MS. 695, Hekimoğlu Ali Paşa Collection, Süleymaniye Library, Istanbul). al-Yūnīnī reports that many *luʿbahs* were employed by Sultan al-Ashraf Khalīl in his siege of Acre in 690/1291 (al-Yūnīnī, *Dhayl mirʾāt al-zamān*, in Antranig Melkonian, *Die Jahre 1287–1291 in der Chronik al-Yūnīnīs* [Freiburg, 1975], 86 [Arabic text]). Their use is probably not more widely cited because they are either designated by the generic term *manjanīq* or are identified as *shayṭānī* trebuchets.

<sup>33</sup> Arabic chroniclers mention the use of the *manjanīq shayṭānī* in the sieges of the following cities and castles: Damietta in 615/1218 (Ibn al-Dawādārī, *Kanz al-durar wa-jāmiʿ al-ghurar*, vol. 7, *al-Durr al-maṭlūb fī akhbār mulūk banī Ayyūb*, ed. Saʿīd ʿĀshūr [Cairo, 1972], 195), Homs in the winter of 646/1248–49 (Ibn Wāṣil, *Mufarrij al-*

counterweight trebuchets are the *manjanīq maghribī* or *manjanīq gharbī* (the Western Islamic trebuchet) (figs. 7–9),<sup>34</sup> the *manjanīq qarābughrā* (the “Black Camel” trebuchet) (fig. 10),<sup>35</sup> and the *manjanīq firanjī* or

*kurūb fī akhbār banī Ayyūb*, fol. 61r, MS. 1703, fonds arabe, Bibliothèque Nationale, Paris), al-Marqab in 684/1285 (Ibn ‘Abd al-Zāhir, *Tashrif al-ayyām wa-al-‘usūr fī sirat al-Malik al-Manṣūr*, ed. Murād Kāmil and Muḥammad ‘Alī al-Najjār [Cairo, 1961], 78), Acre in 690/1291 (Shams al-Dīn al-Jazarī, *Hawādith al-zamān*, fol. 24v, MS. 6739, fonds arabe, Bibl. Nat., Paris; Badr al-Dīn al-‘Aynī, *‘Iqd al-jumān fī ta’rikh ahl al-zamān*, fol. 144v, MS. 2912/4, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul; al-Yūnīnī, *Die Jahre*, 86 [Arabic text]; Ibn al-Furāt, *The History of Ibn al-Furāt*, ed. C. Zurayk and N. Izzedin, vols. 7–9 [Beirut, 1936–42], 8:112), and Qal‘at al-Rūm in 691/1292 (Ibn al-Dawādārī, *Kanz al-durar wa-jāmi ‘al-ghurar*, vol. 8, *al-Durrah al-zakīyah fī akhbār al-dawlat al-turkiyah*, ed. Ulrich Haarmann [Cairo, 1971], 333; al-Mufaddal b. Abū al-Faḍāl, *al-Nahj al-sadīd wa-al-durr al-farīd fī mā ba‘da ta’rikh Ibn al-‘Amūd*, ed. and trans. E. Blochet, in *Histoire des sultans mamlouks* [“Patrologia orientalis,” vols. 12, 14, 20, issued as one volume, Paris, 1919–28], 14:553; Zettersteen, *Beiträge zur Geschichte der Mamlükensultane* [Leiden, 1919], 16; al-Maqrīzī, *Kitāb al-sulūk li-ma‘rifat duwal al-mulūk*, 4 vols. [Cairo, 1934–73], 1, pt. 3:778 n. 2 [quoting al-Nuwayrī]; and Ibn al-Furāt, *History* 8:136).

<sup>34</sup> The historical sources mention this machine by name as being employed in the sieges of the following cities and castles: Damietta in 615/1218 (Ibn al-Dawādārī, *Kanz* 7:195; Sawīrus b. al-Muqaffā’, *History of the Patriarchs of the Egyptian Church*, ed. and trans. Y. ‘Abd al-Masīḥ and O. H. E. Burmester, 4 vols. [Cairo, 1942–74], 3, pt. 2:218, and Oliver of Paderborn, *The Capture of Damietta*, trans. John J. Gavigan [Philadelphia, 1948], 25–6, 34, 44, 54, 56), Kākhtah in 623/1226 (Ibn Bībī, *Histoire des Seldjoukides d’Asie Mineure d’après l’abrégé du Seldjouknameh d’Ibn-Bībī*, ed. T. Houtsma [Leiden, 1902], 118; and Ibn Bībī, *Die Seldschukengeschichte des Ibn Bībī*, trans. H. W. Duda [Copenhagen, 1959], 122), Baalbek in 627/1229 (Muḥammad b. Ibrāhīm b. Muḥammad al-Anṣārī, *Ta’rikh dawlat al-akrād wa-al-atrāk*, fol. 124v, MS. 695, Hekimoğlu Ali Paşa Collection, Süleymaniye Library, Istanbul.), Shayzar in 630/1232–33 (Ibn Wāṣil, *Mufarrīj al-kurūb fī akhbār banī Ayyūb*, ed. J. Shayyāl, S. ‘Ashūr, and H. Rabi’, 5 vols., in progress [Cairo, 1953–], 5:65; Ibn al-‘Adīm, *Ḍubdat al-halab min ta’rikh Halab*, ed. Sāmī al-Dahhān, 3 vols. [Damascus, 1951–68], 3:214), Harrān and Edessa in 633/1236 (Ibn al-Muqaffā’, *History* 4, pt. 1:147; 70 [Arabic text]; al-Anṣārī, *Ta’rikh*, fols. 138v–139r), Homs in the winter of 646/1248–49 (Ibn Wāṣil, *Mufarrīj al-kurūb fī akhbār banī Ayyūb*, fol. 60v–61r, MS. 1703, fonds arabe, Bibliothèque Nationale, Paris; al-Anṣārī, *Ta’rikh*, fol. 165r), Caesarea in 663/1265 (Ibn ‘Abd al-Zāhir, *al-Rawḍ al-zāhir fī sirat al-Malik al-Zāhir*, ed. ‘Abd al-‘Azīz al-Khuwaytīr [Riyadh, 1976], 230; Ibn al-Furāt, *Ayyubids, Mamlukes and Crusaders: Selections from the “Ta’rikh al-Duwal wa ‘l-Mulūk.”* ed. and trans. by U. and M. C. Lyons, with introduction and notes by J. S. C. Riley-Smith, 2 vols. [Cambridge, 1971], 1:85, 2:69), and Safad in 664/1266 (Ibn ‘Abd al-Zāhir, *Rawḍ*, 257–58; Ibn al-Furāt, *Ayyubids, Mamlukes and Crusaders* 1:116–7; 2:91–2) This trebuchet is also the most commonly illustrated of all the various types of rotating-beam siege machines that are depicted in manuscripts and books, or on objects d’art of medieval and Renaissance Europe, and it is likewise the most widely represented type of trebuchet found in illuminated manuscripts of the Islamic Middle East (Paul E. Chevedden, “The Citadel of Damascus,” 2 vols., Ph.D. diss., University California, Los Angeles, 1986, 304–10, nn. 46–47).

<sup>35</sup> This siege machine is identified by Ibn Urunbughā as the “Black Camel” (*qarābughrā*) trebuchet (*Anīq* [Aḥmad], 26; *Anīq* [Hindī], 45), but all Arabic historical sources, save for al-Nasawī’s *Sīrat Jalāl al-Dīn*, which was produced in a Persian

*manjanīq ifranjī* (the Frankish or European trebuchet) (fig. 11).<sup>36</sup> The *manjanīq maghribī* and *manjanīq qarābughrā* were both trestle-framed machines. The *manjanīq maghribī* generally launched stone missiles, while the *manjanīq qarābughrā* was specifically designed to launch bolts. The *manjanīq ifranjī* was a large pole-framed counterweight machine, obviously derived from Western Europe as its name indicates, and known in Latin sources as the *bricola*.

cultural milieu, designate it as the "Black Bull" (*qarābughā*) trebuchet, a corruption of the original term (see David Ayalon, "Hisār," *Encyclopaedia of Islam*, new ed., 3:473). Arabic historical chronicles cite this weapon as being used in the sieges of the following cities and castles: Akhlāt in 626/1229 (Muḥammad b. Aḥmad al-Nasawī, *Sīrat Jalāl al-Dīn*, ed. Ḥāfiẓ Ḥamdī [Cairo, 1953], 303), Homs in the winter of 646/1248–49 (Ibn Wāṣil, *Mufarrīj* [BN 1703], fol. 61r), al-Marqab in 684/1285 (Ibn ‘Abd al-Zāhir, *Tashrif al-ayyām wa-al-‘uṣūr fī sīrat al-Malik al-Manṣūr*, ed. Murād Kāmil and Muḥammad ‘Alī al-Najjār [Cairo, 1961], 78), Tripoli in 688/1289 (Ibn al-Dawādārī, *Kanz*, 8:283; al-Yūnīnī, *Dhayl mir’āt al-zamān fī ta’rīkh al-‘ayn*, fol. 254r, MS. 2907/I.3, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul; and Ibn al-Furāt, *History* 8:80), Acre in 690/1291 (al-Jazarī, *Hawādith al-zamān*, fol. 24v, MS. 6739, fonds arabe, Bibliothèque Nationale, Paris; al-Jazarī, *La Chronique de Damas d'al-Jazarī* [Paris, 1949], 5; al-Aynī, *Iqd al-jumān fī ta’rīkh ahl al-zamān*, fol. 144v, MS. 2912/4, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul; al-Yūnīnī, *Die Jahre*, 86 [Arabic text]; Ibn al-Furāt, *History*, 8:112), and Qal‘at al-Rūm in 691/1292 (Ibn al-Dawādārī, *Kanz* 8:333; al-Mufaddal, *al-Nahj* 14:553; Zetterstéen, *Beiträge*, 16; al-Maqrīzī, *Sulūk* 1, pt. 3: p. 778 n. 2 [quoting al-Nuwayrī]; and Ibn al-Furāt, *History* 8:136). Illustrations of this siege machine are found in a number of European works (Chevelden, "Citadel of Damascus," p. 311 n. 55).

<sup>36</sup> This siege machine is first cited in Arabic historical sources at the beginning of the Mamlūk period and is mentioned as being employed in the sieges of the following cities and castles: Caesarea in 663/1265 (Ibn ‘Abd al-Zāhir, *Rawḍ*, 230; Ibn al-Furāt, *Ayyubids, Mamlukes and Crusaders* 1:85; 2:69), al-Bīrah in 674/1275 (‘Izz al-Dīn Muḥammad ibn Shaddād, *Ta’rīkh al-Malik al-Zāhir*, ed. Aḥmad Huṭayt [Wiesbaden, 1983], 125; al-Yūnīnī, *Dhayl mir’āt al-zamān*, 4 vols. [Hyderabad, 1954–61], 3:114; Shāfi‘ b. ‘Alī, *Husn al-manāqib al-siriyah al-muntaza‘ah min al-sīrah al-Zāhiriyah*, ed. ‘Abd al-‘Azīz al-Khuwaytīr [Riyadh, 1976], 158), al-Marqab in 684/1285 (Ibn ‘Abd al-Zāhir, *Tashrif*, 78), Ṣahyūn in 685/1286 (Ibn ‘Abd al-Zāhir, *Tashrif*, 149–50), Tripoli in 688/1289 (Ibn al-Dawādārī, *Kanz* 8:283; al-Yūnīnī, *Dhayl mir’āt al-zamān fī ta’rīkh al-‘ayn*, fol. 254r, MS. 2907/I.3, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul; Ibn al-Furāt, *History* 8:80), Acre in 690/1291 (al-Jazarī, *Hawādith al-zamān*, fol. 24v, MS. 6739, fonds arabe, Bibliothèque Nationale, Paris; Ibn al-Furāt, *La Chronique de Damas d'al-Jazarī* [Paris, 1949], 5; al-Aynī, *Iqd al-jumān fī ta’rīkh ahl al-zamān*, fol. 144v, MS. 2912/4, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul; al-Yūnīnī, *Die Jahre*, 86 [Arabic text]; Ibn al-Furāt, *History*, 8:112), and Qal‘at al-Rūm in 691/1292 (Ibn al-Dawādārī, *Kanz* 8:333; Zetterstéen, *Beiträge*, 16; Jazarī, *Chronique de Damas*, 16; al-Mufaddal, *Nahj* 14:553; al-Nuwayrī [quoted in al-Mufaddal, *Nahj* 14:553 n. 1, and al-Maqrīzī, *Sulūk* 1, pt. 3, p. 778 n. 2]; Ibn al-Furāt, *History* 8:136). This machine has been illustrated by a number of European engineers of the Renaissance, including Leonardo da Vinci (Chevelden, "Citadel of Damascus," 311–12 nn. 55–57), and two fine drawings of it are to be found in Ibn Urūnbughā’s treatise on trebuchets (Ibn Urūnbughā, *Anīq* [Aḥmad], 47, 51; Ibn Urūnbughā, *Anīq* [Hindī], 97–8).

Having resolved the terminological problems of the Arabic nomenclature associated with the trebuchet, it is now easier to unravel the terminological confusion which plagues the nomenclature of this machine in other language groups. The Byzantine military manuals which were produced prior to the introduction of the counterweight trebuchet during the first half of the twelfth century distinguish between two types of trebuchets: the pole-framed and the trestle-framed machines. The *Strategikon* of Maurice, dating from the early seventh century, uses three terms to refer to heavy artillery: μηχανη (*mēchanē*), πετροβολος (*petrobolos*), and μαγγανον (*manganon*). *Mēchanē* is used only once and appears to be a generic term to refer to heavy artillery or to siege engines of any type.<sup>37</sup> *Petrobolos* is employed three times and is used exclusively to refer to the heavy artillery of a besieging army.<sup>38</sup> *Manganon* is used six times.<sup>39</sup> In three cases it refers to devices which may be interpreted as machines used for siege warfare other than artillery;<sup>40</sup> it is twice used to refer to artillery advanced by besiegers

<sup>37</sup> *Das Strategikon des Maurikios* ed. George T. Dennis and Ernst Gamillscheg (Vienna, 1981), 10.1.11 (p. 336). The word *mechanē* is a very loose term. Campbell has studied the many and varied meanings given to it in classical antiquity, which include artillery of all types, cranes, scaling ladders, battering rams, mobile siege towers, flame-throwers, and mantlets (Duncan B. Campbell, "Auxiliary Artillery Revisited," *Bonner Jahrbücher*, 186 [1986]: 126–8). To this long list of devices which the term *mechanē* encompasses can now be added the crossbow, see my article, "Artillery in Late Antiquity."

<sup>38</sup> *Strategikon* 10.1.52 (p. 430), 10.1.55 (p. 340), and 10.3.8–9 (pp. 342–44).

<sup>39</sup> *Manganon*, from which *manganikōn* is derived (see below), originally meant a means for charming or bewitching others and came to be applied to the trebuchet, a device which bewitched others by its power or was deemed to have magical properties because of its power (Henry G. Liddell and Robert Scott, *A Greek-English Lexicon* [Oxford, 1968], s.v., μαγγαν-ον; Yule, *Marco Polo*, 2:164). The term is not derived from μοναγκων (*monankōn*), or "one-arm", the name given to the one-armed torsion machine of classical antiquity, the onager, as was suggested by Jähns and recently advocated by Schmidtchen (Max Jähns, *Handbuch einer Geschichte des Kriegswesens* [Leipzig/Berlin, 1878–80], 472; Volker Schmidtchen, "Militärische Technik zwischen Tradition und Innovation am Beispiel des Antwerks: Ein Beitrag zur Geschichte des mittelalterlichen Kriegswesens," in *Gelërter der arzenie, ouch apoteker: Beiträge zur Wissenschaftsgeschichte. Festschrift zum 70. Geburtstag von Willem F. Daems*, ed. Gundolf Keil [= *Würzburger medizinhistorische Forschungen*, 24], [Pattensen, Hannover, 1982], 120). *Manganon* passed into medieval Latin as *manganum* (dim., *manganellum*), from which numerous European venacular cognates were spawned, and from the form *manganikōn*, this term passed into Arabic via Aramaic as *manjanīq* (Franz Blatt, ed., *Novum glossarium mediae latinitatis ab anno DCCC usque ad annum MCC*, s.v., *manganum* and *manganellum*; *Oxford English Dictionary*, s.v., *mangonel*; *Encyclopaedia of Islam*, new ed., s.v., *mandjanīq*).

<sup>40</sup> *Strategikon* 10.3.8 (p. 342); 10.3.15 (p. 344); 10.4.8 (p. 346). When the term is first used, Maurice speaks of μαγγανα (*mangana*) to defend against περτοβολων (*petrobolōn*), or trestle-framed traction trebuchets, of a besieging army (10.3.8). Following this

against a city;<sup>41</sup> and, in one case it is used to refer to artillery used defensively on the top of towers.<sup>42</sup> Although one cannot discount the possibility that Maurice may be using these words without precision, the mere fact that he uses only two terms in practically all cases seems to indicate that he does distinguish between the heavier trestle-framed trebuchet and the lighter pole-framed trebuchet. Since the lighter machine is easily mounted on towers, it is the *mangana* which Maurice uses to designate the pole-framed trebuchet. For the more powerful trestle-framed machine, the term *petrobolos* is used.

Like the *Strategikon* of Maurice, the *Taktika* of Leo VI, compiled in ca. 905, uses three terms to refer to heavy artillery: μαγγανιχον (*manganichon*), αλακατιον (*alachation*), and πετραρεα (*petrarea*) or τετραρεα (*tetrarea*). Μαγγανικον (*manganikón*) is analogous to Maurice's μηχανη (*mēchanē*) and refers to heavy artillery, with no distinction being drawn between the two major types: the pole-framed or trestle-framed traction trebuchet.<sup>43</sup> Two types of *manganikón*, or trebuchets, are designated according to size: the smaller αλακατιον (*alachation*)<sup>44</sup> and the larger τετραρεα (*tetrarea*).<sup>45</sup> *Alachation* is derived from ηλακατιον (*ēlachation*), the diminutive of ηλακατη (*ēlachatē*), and can mean "a pole", "reed", "arrow", or "the spindle of a mast".<sup>46</sup> The matching of this term with the pole-framed trebuchet seems certain. The term *tetrarea* is derived

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statement, he describes devices, other than artillery, which are used to enhance the defences of a city: protective screens and a lever mechanism (also called a *manganon*)—analogous to the classical *tolleno* or the medieval trebuchet—which drops stones on battering rams and hauls the stones up again by means of a counterweight. Maurice may be using the term *manganon* in the first instance to refer either to artillery or to the defensive devices which he subsequently describes. His second employment of the term clearly refers to a lever device for warding off battering rams from a wall (10.3.15). Since this machine was structurally similar to a trebuchet, Maurice may have used the term for a trebuchet to refer to it. The last ambiguous use of the term *manganon* occurs in a discussion dealing with the construction and defence of a frontier fortress. Maurice recommends that the fortress gates and the *mangana* for the walls be made ready (10.4.8). Here, the term may be interpreted as wall-mounted artillery or any device for the protection of the walls.

<sup>41</sup> *Strategikon* 10.3.40 (p. 346), 10.3.23–24 (p. 344).

<sup>42</sup> *Ibid.*, 10.3.21 (p. 344).

<sup>43</sup> Leo VI, *Leonis imperatoris tactica*, in *Patrologiae cursus completus, series graeco-latina*, ed. J. P. Migne, vol. 107, 669–1120 (Paris, 1848), 5.7, 5.8, 6.27, 14.83, 15.27; Huuri, "Geschützwesen," 84–6 n. 3.

<sup>44</sup> Leo VI, *Tactica*, 5.7, 6.27, 14.83, 15.27; Huuri, "Geschützwesen," 84–6 n. 3.

<sup>45</sup> Leo VI, *Tactica*, 15.27; Huuri, "Geschützwesen," 84–6 n. 3.

<sup>46</sup> Liddell and Scott, *Greek-English Lexicon*, 767; Lionel Casson, *Ships and Seaman-ship in the Ancient World* (Princeton, 1971), 233 n. 37, 392; Huuri, "Geschützwesen," 84 n. 3.

from *petrarea*, meaning “rock-thrower,” and refers to the heavier trestle-framed trebuchet.<sup>47</sup>

Constantine VII Porphyrogennetos identifies three types of trebuchets in his tenth-century treatise, *De ceremoniis*. He twice refers to these three types of machines by using the terms, τετραρεα (*tetrarea*), λαβδαρα (*labdarea*), and μαγγανικον (*manganikon*),<sup>48</sup> and once by using the terms, τετραρεα (*tetrarea*), λαβδαρα (*labdarea*), and ειλακ[α]τιων (*eilak[a]tiōn*).<sup>49</sup> *Tetrarea* refers to the trestle-framed trebuchet, while *eilak[a]tiōn* (from ηλακκτιση [*ēlakation*]) and *manganikōn* are used to designate the pole-framed machine. The introduction of a third term, *labdarea*, suggested to Huuri that a different type of machine was being indicated, and this machine, he reasoned, was most probably based on the torsion principle. Huuri suggested that *labdarea* could either be derived from the Greek *lambda* and mean *lambda*-shaped or triangular, or be derived from the Latin *lapidaria*, which refers to activity dealing with stone-cutting and hence could easily be applied to a machine throwing stones.<sup>50</sup> The use of a third term perplexed Huuri, but the solution to *labdarea* is quite easily solved. A traction trebuchet with a *lambda*-shaped trestle frame was used during the Middle Ages. It was identified in Chinese sources as the “crouching-tiger” trebuchet and was referred to by al-Ṭarsūsī as the Persian or Turkish trebuchet (fig. 5).<sup>51</sup> The four different terms used by Constantine VII therefore refer to two different types of trestle-framed traction trebuchets (the *tetrarea* and *labdarea*) and a pole-framed trebuchet, which is identified as either an *elakation* or a *manganikon*. Since the trestle frame of the

<sup>47</sup> Huuri, “*Geschützwesen*,” 84 n. 2. Theophanes and the anonymous author of *De obsidione toleranda* also use the terms μαγγανικον (*manganikōn*) and τετραρεα (*tetrarea*) to refer to the two types of traction trebuchets (Theophanes, *Theophanis Chronographia*, ed. C. de Boor, 2 vols. [Leipzig, 1883–85], 1:384; *De obsidione toleranda*, ed. H. Van Den Berg [Leiden, 1947], 48). In the account of the measures taken by Anastasius II in preparation for the Arab siege of Constantinople in 717–718, Theophanes states that the Emperor restored the land and sea walls, and installed bolt-projecting tension catapults (τοξοβολιστρας), trestle-framed traction trebuchets (τετραρεας), and pole-framed traction trebuchets (μαγγανικα) on the gates. Harry Turtledove has translated the terms used for the three machines cited by Theophanes above as “arrow-shooting engines”, “stone-throwing engines”, and “catapults” (*The Chronicle of Theophanes* trans. H. Turtledove [Philadelphia, 1982], 80).

<sup>48</sup> Constantine VII Porphyrogennetos, *Constantini Porphyrogeniti imperatoris De cerimoniis aulae byzantinae*, ed. J. J. Reiske, 2 vols. (Bonn, 1829–30), 1:670, 672; Huuri, “*Geschützwesen*,” 77 n. 4, 86.

<sup>49</sup> Constantine VII, *De cerimoniis*, 1:671; Huuri, “*Geschützwesen*,” 86.

<sup>50</sup> Huuri, “*Geschützwesen*,” 87.

<sup>51</sup> See n. 31 above and text.



*labderea* is *lambda*-shaped, it is most probable that the trestle frame of the *tetrarea* is triangular in shape and may resemble the triangular trestle frame of al-Ṭarsūsī's Christian or Frankish trebuchet (fig. 6).

In the Latin West, Huuri noted that a number of sources used two terms to identify artillery, although these terms often varied. *Machina* was paired with the diminutive *machinellus* and *manganellus*, and this last term was used alongside *manganum*. *Petraria* was paired by different sources with *manganellus*, *manganum*, *onager*, and *fundibulum*.<sup>52</sup> This indicated to Huuri that a distinction was being drawn between two different machines, which he defined as a light stone-thrower (usually *manganellus*) and a heavy stone-thrower (usually *petraria*).<sup>53</sup> Huuri identified the light stone-thrower used up to the twelfth century as the one-armed torsion machine of late antiquity, the *onager*.<sup>54</sup> This machine, he believed, was commonly designated in the Latin West as the *manganellus* or *fundibulum*, in the Byzantine realm as the *manganikon* or *elakation*, and in the Islamic world as the *ʿarrādah*.<sup>55</sup> Huuri identified the heavy stone-thrower as the traction trebuchet, which he believed was introduced into the Mediterranean world during the eighth century. This machine, he contended, was commonly designated in the Latin West as the *petraria*, in Byzantine sources as the *tetrarea*, and in the Islamic world as the *manjanīq*.<sup>56</sup> Huuri was unaware that the traction trebuchet was introduced into the Mediterranean world two centuries earlier, and that this machine comes in two basic designs: a lighter pole-framed machine and a heavier trestle-framed machine. Realizing this, it is now easier to solve the terminological problems associated with the trebuchet. The lighter machine is the pole-framed trebuchet, and the heavier machine is the trestle-framed trebuchet. The competing states and cultures of the medieval Mediterranean world not only shared the same heavy artillery, but a common terminological dichotomy to differentiate between the two major types. With the introduction of the counterweight trebuchet during the second half of the twelfth century, the terminological problem explodes

<sup>52</sup> Huuri, "Geschützwesen," 57–8.

<sup>53</sup> Ibid., 59–62.

<sup>54</sup> Ibid., 53, 59–60, 69 and 212 ff.

<sup>55</sup> The correlation of the *ʿarrādah* with the *fundibulum* is indicated in an eleventh-century Latin-Arabic word list from Spain where *ʿarrādah* is given as the equivalent of *fundibularium* (*Glossarium latino-arabicum ex unico qui exstat codice leidensi undecimo saeculo in Hispania conscripto* ed. C. F. Seybold [Berlin, 1990], 208; Huuri, "Geschützwesen," 130).

<sup>56</sup> Huuri, "Geschützwesen," 54–55, 60–62, 69, 90–91, 148, 179, 212 ff.

once again. Some of the terminological difficulties will be resolved in the following discussion of King James's artillery.

*Types of Trebuchets used by James I the Conqueror*

King James took a great interest in artillery, supervised its placement in siege operations, and even took direct charge of the firing of a traction trebuchet (*fenèvol*) during a siege when the operator of the machine had missed his intended target, an enemy counterweight trebuchet (*brigola*). King James boastfully relates that he hit the *brigola* on the first shot and put it out of action.<sup>57</sup> King James was intimately familiar with the construction and operation of trebuchets and provides a great deal of descriptive information on these machines throughout his memoir. The terms which King James used to refer to these machines and the technical vocabulary which he employed to identify the structural components of these engines will now be discussed. This information provides an essential key to understanding the structural differences between the different types of trebuchets used during King James's wars and can be used to assess the power and capabilities of these machines and to determine their importance in siege operations.

The Catalan *algarrada* (also *algarreda* and *alcarrada*) is the Arabic 'arrādah, the light pole-framed traction trebuchet.<sup>58</sup> There is no doubt

<sup>57</sup> *LF*, chaps. 460 and 461.

<sup>58</sup> Forster and de Gayangos classify all of the artillery mentioned in James's chronicle as "nevroballistic". No structural description is given of any of the artillery; only the derivation of "nevroballistic" is provided: "from *nevron* (cord) and *ball*—(I throw)" (Forster, *Chronicle of James I*, 1:139 n. 1; de Gayangos, "Siege Engines," 679). Forster adds that the distinction between all of these machines "appears to have consisted principally in their size and the weight of the stones they threw. Possibly there was some difference in the way of stretching and discharging them" (*Chronicle of James I*, 1:139 n. 1). Since νεῦρα (*neura*) is used in Greek to refer to the sinew-rope of the springs of torsion catapults or the bowstring of these machines, both Forster and de Gayangos seem to imply that all the artillery cited by James were torsion powered. F. Darwin Swift, in his biography of James I, likewise uses the term "nevroballistic" to describe all artillery mentioned by King James, even those machines which he considers to be gravity-powered: the trebuchet, *fenèvol*, and *manganell*. He describes the *algarrada* as a machine powered by both tension and human energy (Swift, *James the First*, 273–74). Several works identify the *algarrada* as "a kind of *manganell*," which in turn is described as a counterweight trebuchet (Bruguera, "Vocabulari," 50; *Diccionari català-valencià-balear, inventari lexicogràfic i etimològic de la llengua catalana en totes les seves formes literàries i dialectals, recollides de documents i textos*, ed. Antoni M. Alcover, Francesc de B. Moll, Manuel Sanchis Guarnier, and Anna Moll Marquès, 10 vols. [Palma de Mallorca, 1930–1962], 1:487 [hereafter *DCVB*]; and n. 64 below). Giese

that this machine is a rotating-beam engine, since James remarks that during the siege of Almàssera (Cast., Almazara) in 1240, the Christians found a rotating-beam (*pertxa*) which the Muslims had cut to make an *algarrada*.<sup>59</sup> James mentions the *algarrada* as being used by Muslims in the defense of Majorca city<sup>60</sup> and Burriana.<sup>61</sup> Since these machines were used to support the defense of these two cities, they were most probably positioned on the platforms of the towers or on the wall walk, so that they would achieve greater range. At Majorca city, James tells us that one of the Muslim *algarrades* shot deep into the Christian camp. This machine was also used in offensive operations. James employed an unspecified number of *algarrades* at his siege of Majorca city,<sup>62</sup> and al-Azraq used *algarrades* in his abortive siege of Peñacadel or Benicadell castle.<sup>63</sup>

The *fenèvol*, *almajanech* (also *almagenech* and *almanjanech*), *manganel* (or *almanganel*), and *manganel turquès* are most likely all traction trebuchets.<sup>64</sup>

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contents that the *algarrada* was a huge engine, analogous to the *trabuquet*, which utilized a counterweight to launch missiles (Giese, "Altprov. *algarrada*," 251). Monreal y Tejada likewise believes that the *algarrada* was a counterweight trebuchet. He suggests that it was a light machine that could be easily set up. He also believes that it fired its missiles in a flat trajectory and could be operated without a sling (Monreal y Tejada, *Ingeniería militar*, 13 and 21). Bruhn de Hoffmeyer states that the *algarrada* "usually signified the light stone-thrower and very probably of the old type with pulling ropes and man [sic]. . . . The *algarrada* probably is the engine represented in the manuscript of Petrus de Eboli, in Stadt. Bibl. Bern and in the famous manuscript of Matthew Paris from about 1250 in Pierpont Morgan Library, New York, in a Biblical scene" (*Arms and Armour*, 106). The machine illustrated in Peter of Eboli's manuscript is a pole-framed traction trebuchet (fig. 3), but the other manuscript mentioned by Bruhn de Hoffmeyer is incorrectly cited. This is not a manuscript of Matthew Paris, but the so-called Maciejowski Bible, dating from c. 1250, in the Pierpont Morgan Library in New York (MS. M.638). On fols. 23v and 43v of this manuscript two trestle-framed traction trebuchets are depicted.

<sup>59</sup> *LF*, 191.14 (*algarrada*). The Catalan term *pertxa* is used to denote the rotating beam of a trebuchet (*LF*, 191.13, 191.15, 461.7, 461.13, 462.6; Peter IV of Aragon (III in Catalonia), *Crònica de Pere el Cerimoniós*, in *Les quatre grans cròniques*, Jaume I, Bernat Desclot, Ramon Muntaner, Pere III, ed. Ferran Soldevila (Barcelona, 1971), chap. 3.134.

<sup>60</sup> *Ibid.*, 69.15, 69.16, 69.28.

<sup>61</sup> *Ibid.*, 159.7, 159.9, 160.7, 160.16, 162.3, 162.13, 163.5, 163.8.

<sup>62</sup> *Ibid.*, 69.5 (*alcarrades*).

<sup>63</sup> *Ibid.*, 370.3.

<sup>64</sup> The term *fenèvol* is derived from the Latin term *fundibulum*. Bruguera points out that the only medieval chronicle to utilize this term is James's ("Vocabulari," 53). Ramon Lull employs it in his *Libre de Contemplació en Deu* (vol. 6 [Palma de Mallorca, 1913], 46 [chap. 273.73]) where he contrasts the more powerful counterweight trebuchet (*trabuquet*) with the traction trebuchet (*fonèvol*). According to Goday y Casals, the *fenèvol* and *almajànech* were torsion machines ("Medis d'atach," 804). The *manganel* has been identified as a counterweight trebuchet (Monreal y Tejada, *Ingeniería militar*, 19)

Since James does not describe these machines, there is no way of knowing their structural configuration, or whether or not they were structurally different from one another. On occasion James does use the terms *fenèvol* and *almajanech* interchangeably,<sup>65</sup> suggesting that there is little or no difference between these machines. On the other hand, various models of traction trebuchets were used during the Middle Ages, and it would not be odd for military engineers or chroniclers to distinguish between them, as al-Ṭarsūsī does (figs. 4, 5, and 6). There is good reason to suggest that James's *manganel turquès* is al-Ṭarsūsī's Persian or Turkish trebuchet (fig. 5), since the designation is the same. If the *fenèvol* and *almajanech* are indeed the same machine, as the evidence suggests, the use of the Arabic term, *almajanech*, to designate this siege engine may indicate that it is of Islamic design. If so, this machine may correspond to al-Ṭarsūsī's Arab trebuchet (fig. 4). James's *manganel* may either be a generic term for any type of trestle-framed traction trebuchet or be a specific model of this type of machine. If the later, then it may be identical with al-Ṭarsūsī's Christian or Frankish trebuchet (fig. 6).

The *fenèvol* is cited by King James 62 times in sixteen siege operations.<sup>66</sup> The *almajanech* is cited ten times in six siege operations,<sup>67</sup> while

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and as a trestle-framed counterweight trebuchet having a fixed counterweight (Goday y Casals, "Medis d'atach," 803; *DCVB*, 7:198; and Bruguera, "Vocabulari," 54). The *fenèvol* has also been identified as a counterweight trebuchet (*DCVB*, 5:957; *LF* (Soldevila), 198 n. 9; Monreal y Tejada, *Ingeniería militar*, 19; and Bruguera, "Vocabulari," 52–53). Bruhn de Hoffmeyer states that the "*fenèvol* apparently is identical with the *almajanech* or *manganell*," but neglects to describe how any of these machines are structured (*Arms and Armour*, 109). Bruhn de Hoffmeyer identified the "*almanganiq*" as "a larger size of the *algarrada*" (*Arms and Armour*, 106), but since she is unclear about the structure of this machine (see n. 58 above), there is no way to determine her interpretation of the composition of the *fenèvol*. Giese correctly identifies the *fenèvol* as a traction machine ("Waffen," 146 and n. 228). Forster, Soldevila, and Monreal y Tejada consider the *fenèvol*, *almajanech*, and *manganel* to be essentially identical (*Chronicle of James I*, trans. Forster, 1:29 n. 1; *LF* (Soldevila), chap. 16 n. 5; Monreal y Tejada, *Ingeniería militar*, 13, 19). For Forster they are torsion machines, and for Soldevila and Monreal y Tejada, counterweight trebuchets. P. D. Humphries's description of King James's artillery is confused. The *algarrada*, *fenèvol*, *almajanech*, *manganel*, *trabuquet* and *brigola* are all identified as being "variations of a basic standard type of machine which employed a throwing arm drawn down against torsion tension," but the *trabuquet* is also defined as "a more sophisticated type of engine that employed counterweight tension" ("Of Arms and Men," 176).

<sup>65</sup> *Ibid.*, 16.8, 16.32, 16.37, 202.5, 202.7, 202.11, 202.12, 311.7, 315.3.

<sup>66</sup> *Ibid.*, 15.17, 15.19, 15.25, 15.25, 15.31, 15.32, 15.37, 15.38, 16.8, 16.32, 16.37, 40.2, 41.2, 41.10, 41.22, 41.28, 69.12, 69.14, 69.43, 125.11, 126.4, 126.6, 130.15, 156.5, 159.6, 159.8, 159.10, 162.2, 163.10, 163.12, 174.4, 175.7, 176.17, 192.9, 192.11, 193.2, 193.10, 193.11, 194.7, 197.4, 197.6, 202.5, 202.7, 202.11, 202.12,

the *manganel* is cited in one siege (Burriana),<sup>68</sup> and the *manganel turquès* is cited once, in the siege of Majorca city (see Table 1).<sup>69</sup> Rarely are components of these machines ever mentioned. At the siege of Majorca city James had the head of a Muslim leader put into the sling (*fonda*) of an *almajanech* and launched into the town.<sup>70</sup> At the siege of the Tower of Muntcada a *fenèvol* was set up behind a house and during the night the pulling-ropes (*cordes*) were attached to it.<sup>71</sup>

The *trabuquet* (or *trebuchet*) and the *brigola* are the two types of counterweight trebuchets identified by King James. The *trabuquet* was a large trestle-framed machine. It may have had either a fixed or a hinged counterweight attached to the short end of the rotating beam.<sup>72</sup>

203.3, 203.6, 203.10, 262.5, 263.1, 311.7, 315.3, 357.5, 401.11, 401.13, 460.1, 461.1, 461.8, 462.1, 462.2, 462.3, 463.1.

<sup>67</sup> Ibid., 16.6, 16.28, 28.22, 29.1, 69.3, 70.19, 200.12 (*almagenech*), 311.4. It is twice cited in a discussion of a possible siege of Alhama: 429.15 (*almagenech*), 430.5 (*almagenech*).

<sup>68</sup> Ibid., 156.5 and 163.12 (*almanganel*).

<sup>69</sup> Ibid., 69.14.

<sup>70</sup> Ibid., 70.19.

<sup>71</sup> Ibid., 202.8.

<sup>72</sup> Giese does not give any structural details on the *trabuquet*. He considers the *trebuch* or *trabuch* (the alternative spelling of *trabuquet* in other Catalan sources) and *trabuquet* to be essentially identical, but he believes that the *trabuquet* was a smaller machine. He does consider the range of the *trebuch* to have been greater than that of the *fenèvol* ("Waffen," 147 and n. 257). Monreal y Tejada also omits structural details in his discussion of the trebuchet and simply states that the *trabuch* and the *trabuquet* were powerful machines capable of firing large missiles a long distance (Monreal y Tejada, *Ingeniería militar*, 20). Other scholars have likened the *trabuquet* to the *fenèvol* and consider both to be counterweight machines (*DCVB*, 10:411; *LF* [Soldevila], chap. 69 n. 3). Of those scholars who have attempted to identify the structural components of the *trabuquet*, some argue that it had a suspended counterweight (Goday y Casals, "Medis d'atach," 803; Bruguera, "Vocabulari," 54–55), while Bruhn de Hoffmeyer contends that it had a fixed counterweight (*Arms and Armour*, 2:102, 106, 112). The suspended-counterweight proponents can find justification for their view in Villard de Honnecourt's thirteenth-century description of a trestle-framed trebuchet with a suspended counterweight which is specifically identified as a *trebucet* (fol. 30r, MS. fr. 19093, Bibl. Nat., Paris). Viollet-le-Duc, in his reconstruction of Villard's machine, was the first to propose that the trebuchet proper had a suspended, rather than a fixed, counterweight. He believed that the term *mangonel* was applied to the machine with a fixed counterweight (*Dictionnaire raisonné de l'architecture du XI<sup>e</sup> au XVI<sup>e</sup> siècle*, 10 vols. [Paris, 1854–68], 5:233). Largely on the basis of the very exact descriptions of different types of trebuchets given by Giles of Rome (Aegidius Colonna) in his *De regimine principum libre tres*, produced in Italy around 1275, Bruhn de Hoffmeyer has argued that the trebuchet with a fixed counterweight was the machine designated as the *trabuquet*. Giles of Rome identifies three different types of counterweight trebuchets: the machine with a fixed counterweight he calls a *trabucium*, the one with a suspended or hinged counterweight a *biffa*, and the machine with both a fixed and a hinged counterweight he terms a *tripantium* (*De regimine principum libre tres*, extracted in Schneider, *Artillerie*, 163–64; and translated in John Hewitt, *Ancient Armour and*

The *Cantigas de Santa Maria* in the Biblioteca de San Lorenzo el Real at the El Escorial depicts this type of machine with a fixed counterweight (fig. 12).<sup>73</sup> The *Cantigas de Santa Maria* in the Biblioteca Nazionale in Florence shows this type of machine with a hinged counterweight (fig. 13). During the siege of Majorca city in 1229, King James employed at least four *trabuquets* and a minimum of three traction trebuchets.<sup>74</sup> At Ibiza in 1235, he used one *trabuquet* and one *fenèvol*.<sup>75</sup> At Valencia in 1238, one *trabuquet* and two *fenèvols* were used.<sup>76</sup>

The *brigola* was a large pole-framed machine consisting of a single large vertical shaft fixed to the ground or to a bedplate, which supported a horizontal axis on which a forked beam rotated. A counterweight was attached to each end of the bifurcated short arm of the

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*Weapons in Europe from the Iron Period of the Northern Nations to the End of the Thirteenth Century*, 3 vols. [Oxford, 1855–60], 1:349–50). His classification of counterweight trebuchets may be relevant to Italy in the late thirteenth century, but it is not pertinent to the Catalan classification of counterweight trebuchets, which knows no distinction between the trestle-framed trebuchet with a fixed counterweight and the one with a suspended counterweight. The evidence gleaned from medieval and Renaissance illustrations of trebuchets indicates that the term *trebuchet* may refer to both versions of the trestle-framed counterweight machine. A crude illustration of a trebuchet with a counterweight in the form of a box, indicating that it is meant to be suspended from the short arm of the beam, appears in an early thirteenth-century manuscript of Wolfram von Eschenbach's *Willehalm* and is referred to as a *tripochen* (fol. 4v, MS. Cod. germ. 193 III, Bayerische Staatsbibliothek, Munich; reproduced in Karl von Amira, *Die Bruchstücke der grossen Bilderhandschrift von Wolframs Willehalm* [Munich, 1921], 20 and pl. 10). A later manuscript of the same text has two corrupt illustrations of a trebuchet, both of which have a suspended counterweight, and the second machine is identified as a *driboch* (fols. 33v and 81v, MS. Cod. 2670, Österreichische Nationalbibliothek, Vienna; reproduced in Wolfram von Eschenbach, *Willehalm mit der Vorgeschichte des Ulrich von dem Türlin und der Fortsetzung des Ulrich von Türheim* [Graz, 1974], fols. 33v and 81v). The description accompanying the illustration of Villard de Honnecourt's *trebucet*, referred to above, indicates that this machine also had a suspended counterweight. Francesco di Giorgio Martini, however, identifies both the trebuchet with a suspended counterweight and the one with a fixed counterweight as a *trabocchio* (*Trattati*, 272–73; fols. 60r, 61v, 62r; pls. 111, 114, 115).

<sup>73</sup> El Escorial, Biblioteca de San Lorenzo el Real, MS. T.I.1, *Cantigas de Santa Maria*, fol. 43r (cantiga 28c and 28d). Cantiga 28c shows a trebuchet with a fixed counterweight as its rotating beam is being mounted on the trestle frame. Behind the counterweight trebuchet is a "hand-trebuchet," operated by a single man. This traction machine consists of a forked beam, pivoting on a horizontal axis supported upon a single pole-frame. The pulling rope, attached to the frame of the machine, passes around a pulley affixed to the forked end of the beam, giving the puller a mechanical advantage of 2:1. (Gonzalo Menendez Pidal, *La España del siglo XIII: Leida en imagenes* [Madrid, 1986], 268).

<sup>74</sup> *LF*, chaps. 69 and 70.

<sup>75</sup> *Ibid.*, 125.10, 125.11, 126.5, 126.13.

<sup>76</sup> *Ibid.*, 262.4, 262.5.

beam (fig. 11).<sup>77</sup> This machine required fewer structural components than the trestle-framed machine and was far easier to turn in order to adjust the direction of the missile discharged from it. This was done by either turning the fulcrum, which could be made to rotate horizontally, or by turning the machine's central shaft, unlike the trestle-framed machine which required a large team of men pulling upon the frame to accomplish the same operation.

The correlation between the beam of this machine with two suspended counterweights to male sexual anatomy was quite apparent to the medieval engineers and soldiers who operated this siege engine. Hence they called it the "two-testicle machine" by using the Latin prefix *bi-* ("having two") and the romance cognate of the Latin word for testicle, *coleus* (Fr. *bricole*, It. *briccola*, Oc. *bricola*, Cat. *brigola*, Cast. *brigola*, late L. *bric[c]ola*). The designation probably began as soldier's slang. The name stuck and the original meaning was lost. The trestle-framed trebuchet with a counterweight suspended from the end of its short arm is also likened to male sexual anatomy in medieval European sources. This machine is designated as the *couillart* (testicle).<sup>78</sup> The singular form of the word being used here indicates

<sup>77</sup> Giese and Soldevila believe that the *brigola* was a trestle-framed counterweight trebuchet (Giese, "Waffen," 148 and fig. 2; and *LF* [Soldevila], chap. 461 n. 7). Bruhn de Hoffmeyer identifies it as "a light engine on wheels," but later, when describing James's siege of Lizana in 1267, mentions that the king's *fenèvol* hit the *brigola* operated by the rebel barons inside the city and smashed the counterweight of the machine (*Arms and Armour*, 109). Since Bruhn de Hoffmeyer identifies the *brigola* both as a light engine and a counterweight engine, David C. Nicolle defines it as a "light and mobile counterweight mangonel mounted on a cart" (*Arms and Armour of the Crusading Era, 1050-1350*, 2 vols. [New York, 1988], 2:589). Monreal y Tejada reproduces two illustrations of *bricolas* from Valturio's *De re militari* (*Ingeniería militar*, 8 ff.) but is unable to describe the machine properly. He states that it has a "box" (i.e., a counterweight), not two counterweights, and a "sling". He considers it to be a small machine which did not need a winch to lower its beam for firing, and since it could be turned in any direction, its base, he believes, was not massive (*Ingeniería militar*, 20-1). The diminutive of *brigola*, *brigolette*, was also used in Catalan (*DCVB*, 2:602).

<sup>78</sup> *Couillart* is the modern French *couillard*. Christine de Pisan seems to be the first to employ this term around 1400 (*Fayttes of Armes*, 144 [*coyllars*], 154 [*coyllardes*], and 307). In 1421 Dauphin Charles ordered payment of 160*l.t.* to Jean Thibaut "for two engines called and named *coyllars*, of which one could throw stones of 400 lbs. and the other stones of 300 lbs." (Victor Gay, *Glossaire archéologique du moyen âge et de la Renaissance*, vol. 1 [Paris, 1887], 455; Contamine, 194-5). In the campaign to suppress Armagnac centers of resistance in Pacardy in 1422, Philip the Good intended to use eight *couillarts*, supplied with stone-shot ranging in weight from 100 to 300 lbs. (Contamine, 195). During his reconnaissance of the Levant in 1422, Gilbert de Lannoy describes a very large *couillart* beside one of the city gates of Alexandria ("A Survey of Egypt and Syria, undertaken in the Year 1422, by Sir Gilbert de

that there is only one suspended counterweight, unlike the *brigola* which has two. Further evidence of the analogy drawn by medieval Europeans between the counterweight trebuchet and male sexual anatomy is to be seen in the designation of the uprights of the trestle-framed machine as "hips"<sup>79</sup> or "thighs,"<sup>80</sup> and the actual depiction of the counterweight of the trebuchet as a testicle (figs. 14 and 15).<sup>81</sup>

The first mention of the term *bricola* occurs in the account of the siege of Brescia by Frederick II in 1238. One of Frederick's military engineers, a Spaniard named Calamandrino, was captured by the Brescians, who persuaded him to fight for them by giving him both a house and a wife. Calamandrino was skilled in the making of trebuchets and *bricolas* and directed the construction of these pieces of artillery in the besieged city. Once in action, these machines bombarded Frederick's siege-towers and played a decisive role in Frederick's decision to abandon the siege.<sup>82</sup> In 1240 the castle of Petre was besieged by Frederick's bastard son Manfred and bombarded with "one *bricola*, trebuchets, and other machines."<sup>83</sup> When the Genoese launched an amphibious assault on Savona in 1241, the inhabitants of the town placed *bricolae* on the shore which bombarded the Genoese galleys and prevented them from landing. After this initial victory, the town defenders erected a *bricola* on a ship and with other ships

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Lannoy, Knt. translated from a Manuscript in the Bodleian Library at Oxford, with an Introductory Dissertation, and Notes of Illustration and Reference to the Croisades by the Rev. John Webb," *Archaeologia* 21 [1827]: 317, 362). A number of scholars have assumed incorrectly that *couillard* refers to the stone-shot in the sling of the machine (Contamine, 195 n. 10; Dhira B. Mahoney, "Malory's Great Guns," *Viator* 20 [1989]: 294–96). Bernhard Rathgen was the first to correctly point out that *couillard* referred to the suspended counterweight of the trebuchet (*Das Geschütz im Mittelalter* [Berlin, 1928], 631).

<sup>79</sup> Marino Sanudo uses the term *coxa* (hip) for upright (*Liber secretorum*, 79–80).

<sup>80</sup> The Catalan word that is used to refer to an upright of a trestle-framed trebuchet is *cuxa* (thigh). See Bernat Desclot, *Crònica de Bernat Desclot*, in *Les quatre grans cròniques, Jaume I, Bernat Desclot, Ramon Muntaner, Pere III*, ed. Ferran Soldevila (Barcelona, 1971), 436 (chap. 42).

<sup>81</sup> Two illustrations of trebuchets with testicles as counterweights are to be seen in the manuscript of *Fierabras* in the Niedersächsische Landesbibliothek in Hannover, Germany (MS.IV.578, fols. 12v and 89r). Line drawings of these illustrations are to be found in Alwin Schultz, *Das höfische Leben zur Zeit der Minnesinger*, 2 vols. (Leipzig, 1889), 2:376, figs. 158 and 159.

<sup>82</sup> *Annales placentini gibellini*, in *Monumenta Germaniae historica: Scriptores*, ed. G. H. Pertz, vol. 18 (Hanover, 1863), 479. On Frederick II's siege of Brescia, see also T. C. van Cleve, *The Emperor Frederick II of Hohenstaufen, Immulator Mundi* (Oxford, 1972), 415–6; and David Abulafia, *Frederick II, A Medieval Emperor* (London, 1988), 308–9.

<sup>83</sup> *Annali genovesi di Caffaro e de' suoi continuatori*, ed. L. T. Belgrano and C. Imperiale di Sant'Angelo, 4 vols. (Rome, 1890–1929), 3:100.



attacked the Genoese fleet.<sup>84</sup> Later in 1241 *bricolae* were again used in the defense of the castle of Signum when it was besieged by a combined force of Lombards, Savonans, and others.<sup>85</sup> In 1242 *bricolae* are mentioned in conjunction with various siege equipment sent by Frederick II to the Levant.<sup>86</sup>

The Catalan chronicles refer to the *brigola* a number of times. King James employs it a dozen times in his accounts of three siege operations.<sup>87</sup> At the siege of Cullera, when faced with a lack of stone-shot for his two *fenèvols*, King James suggests that stones be quarried on the site into shapes for *brigoles* and *trabuquets*.<sup>88</sup> In 1253, when a *fenèvol* could not be brought up within striking range of Pomar, because of the firing of a *brigola* operated by rebel defenders, James sent to Tortosa for his own *brigola*.<sup>89</sup> However, the siege was raised before James's *brigola* saw action. In 1267 James brought up two *fenèvols* against Lizana. One of these was set up against the rebel defenders and put their single *brigola* out of action.<sup>90</sup> Desclot recounts at the siege of Balaguer in 1280 that Peter III had five very large *brigoles* constructed with which he bombarded the town.<sup>91</sup> Peter IV refers to this machine in a number of different ways. He makes direct use of the term *brigola*<sup>92</sup> or appends the phrase *de dues caixes* ("of two boxes") after a specific term for artillery: *manganel*,<sup>93</sup> *giny*,<sup>94</sup> or *brigola*.<sup>95</sup>

King James's trebuchet duel at Lizana is instructive for the information it provides on the components of the *brigola*. The rebel *brigola*, being more powerful than James's traction machines, kept his two *fenèvols* out of range until the rope (*corda*) of its sling got entangled around the rotating beam (*pertxa*) of the machine.<sup>96</sup> As the rebels were trying to untangle the cord of the sling (*fona*) in order to lower

<sup>84</sup> Ibid., 3:120.

<sup>85</sup> Ibid., 3:121.

<sup>86</sup> Ibid., 3:128: *Et cum inimici mari et terra cum machinis, prederiis (= petrariis), bricolis, scalis et aliis hedificiis eorum infortunio ad locum Levanti pervenissent.*

<sup>87</sup> LF, 194.25, 401.12, 401.15, 401.16, 460.2, 461.5, 461.7, 461.13, 462.2, 462.3, 462.4, 462.6.

<sup>88</sup> Ibid., chap. 194.

<sup>89</sup> Ibid., 401.15.

<sup>90</sup> Ibid., chaps. 460 and 461.

<sup>91</sup> Desclot, *Crònica*, 462 (chap. 75).

<sup>92</sup> Peter IV, *Crònica*, 3.138.

<sup>93</sup> Ibid., 3.112.

<sup>94</sup> Ibid., 3.127.

<sup>95</sup> Ibid., 6.22.

<sup>96</sup> LF, 461.7.

the beam (*pertxa*) and prepare it for another discharge,<sup>97</sup> James brought up one of his *fenèvol*s to strike at the enemy machine. When the first shot missed, James personally took charge of the machine, shot, and hit the *brigola* so hard that its box (*caxa*) or counterweight was broken,<sup>98</sup> and the machine could no longer be used. That evening the *fenèvol* fired another deadly shot and “broke [the] one beam (*pertxa*) of the one cheek of the *brigola*.”<sup>99</sup>

Since the earliest mention of the *bricola* associates it with a Spanish engineer, it is tempting to conclude that this machine was invented in Spain. But the work of skilled military engineers proficient in the construction and operation of artillery was highly internationalized throughout the Middle Ages. King James is known to have employed an Italian engineer, Nicholoso d’Albenquena, in at least two siege operations (Majorca and Burriana).<sup>100</sup> This occurrence does not imply that the Crown of Aragon had no native military engineers or was dependant on Italian expertise in the field of artillery, any more than the presence of a Spanish engineer in Italy indicates Italian reliance on Spain for its engineering know-how. With the limited evidence available, the only conclusion that can be drawn concerning the invention of the *bricola* is that it was probably invented during the early part of the thirteenth century in the lands of the western Mediterranean basin.

The last term used by James to denote a trebuchet is *geny* (also *geyn*, *gey*, *giny*, and *gyn*). James does not use this word as a general term for any engine of war (ram, mobile siege tower, etc.), but rather as a generic term for all types of trebuchets.<sup>101</sup>

<sup>97</sup> Ibid., 461.13.

<sup>98</sup> Ibid., 462.4.

<sup>99</sup> *trencat .I. pertxa de la una guauta de la brigola* (LF, 462.6). This ungrammatical sentence presents problems. Both Giese and Soldevila believe that *guauta* (cheek) refers to one of the two sides or uprights of the *brigola* (Giese, “Waffen,” 148; LF (Soldevila), chap. 461 n. 7). Since the *brigola* is a pole-framed, rather than a trestle-framed machine, it does not have two uprights, only one. If the word may be identified with the upright of a trebuchet, it may have been used here to indicate the single pole-framed of the machine. Since James has just used the word *pertxa* to refer to the rotating beam of the *brigola* (461.7), he cannot use the same word again to refer to a different component of the machine without causing serious ambiguity. So he has qualified the word *pertxa* with the expression *la una guauta*, so that the “one beam” is associated with the single upright or pole-framed of the machine, not with the rotating beam. The ungrammatical sentence may now be amended to read: “broke the single pole-framed of the *brigola*.”

<sup>100</sup> LF, chaps. 157–8.

<sup>101</sup> LF, 69.13, 69.22, 69.47, 73.13, 82.6, 126.4, 193.17, 193.19, 194.9, 194.16,

*Projectiles*

James frequently mentions that his trebuchets and those of his enemies fired stones.<sup>102</sup> The only object, other than stones, that is mentioned by James as being fired from a trebuchet is the head of a Muslim leader flung into Majorca city.<sup>103</sup> James repeatedly states when describing a number of key sieges that once his trebuchets were set up they fired continuously. At Lizana, James's *fenèvol* shot 500 stones in one night and a thousand more during the day.<sup>104</sup> At Burriana James remarks that his *fenèvol* did not cease throwing big stones into the town.<sup>105</sup> At the tower of Moncada, James's *fenèvol* fired without ceasing by day and by night.<sup>106</sup> At Valencia James's *ginys* battered the city night and day.<sup>107</sup> Such testimony indicates that the bombardment from these machines was kept up on an around-the-clock basis. James's foes were subjected to incessant bombardment. Vast amounts of stone shot were needed to feed these machines. The *fenèvol* at Lizana threw 1500 stones over a 24-hour period.<sup>108</sup> Such amounts of stones could not be procured on the site of the siege or quarried once the siege was underway. Rather, pre-cut stone missiles had to be brought up from the major arsenals in James's realm, transported by ship and then carried overland to the site of a siege. At Majorca city stones were unloaded from the ships and carried forward to the siege engines.<sup>109</sup> At Cullera the lack of stones in the immediate vicinity, the absence of sufficient stone cutters, and the shortage of stones in James's arsenal at Burriana resulted in the siege being raised.<sup>110</sup>

*Destructive Effects of Trebuchets*

Some scholars contend that the trebuchet was not effective at demolishing fortifications, contrary to legends of historical accounts.<sup>111</sup>

195.13, 261.7, 261.11, 261.11, 262.6, 265.21, 269.3, 429.9, 461.3, 482.7.

<sup>102</sup> Ibid., 15.26, 69.43, 69.45, 126.13, 194.13, 194.16, 194.23, 194.24, 195.11, 202.11, 462.2, 463.4.

<sup>103</sup> Ibid., 70.18–20.

<sup>104</sup> Ibid., 15.25–26.

<sup>105</sup> Ibid., 159.6.

<sup>106</sup> Ibid., 202.12–13.

<sup>107</sup> Ibid., 265.21, 269.2–3.

<sup>108</sup> Ibid., 15.25–6.

<sup>109</sup> Ibid., 69.41–6.

<sup>110</sup> Ibid., 194.15–26, 195.1–16.

<sup>111</sup> Van Creveld's remarks exemplify this opinion. He states that, "mechanical

James's remarks on this topic serve to offset this erroneous conjecture. At the siege of Lizana in 1218, a great breach was made in the city wall after a 24-hour bombardment from one *fenèvol* which fired 1500 stones.<sup>112</sup> At Burriana a *fenèvol* battered down a tower which was then assaulted.<sup>113</sup> Bombardment was regularly directed at the interior of towns and strongholds to terrorize the population, to cause heavy casualties, and to bring about as much random damage as possible, in order to destroy the will of the inhabitants to resist. At the siege of Lizana in 1267, James states that the stones that fell inside the city did more damage than those that struck the wall.<sup>114</sup> In most sieges in which artillery was employed, King James could rely upon the demoralizing effect of bombardment to bring about speedy surrenders. However, artillery was limited in what it could do against truly formidable fortifications with garrisons willing to offer resistance, as James encountered at Majorca city, Burriana, and Valencia. Here mining operations and skillful negotiations had to be used to achieve success.

### *Vulnerability of Trebuchets*

Being made of wood, trebuchets were extremely vulnerable to fire. Sallies in force were mounted by defenders of cities and strongpoints to burn James's artillery. At Albarracín a successful sally destroyed one *fenèvol* and as a result the siege had to be raised.<sup>115</sup> At Balaguer a sally failed to burn two of James's *fenèvols*.<sup>116</sup> At Cullera, James chose a site for two *fenèvols* where they could be easily set up, screened, and guarded from the enemy.<sup>117</sup> At the siege of the tower of Moncada, a *fenèvol* was set up behind a house so that it would be protected.<sup>118</sup>

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artillery, however well developed, never quite acquired the power to bring down entire walls in the manner subsequently made possible by gunpowder and cannon. Although a lucky hit by a heavy stone might bring down part of a crenelation or machicolation, high trajectory fire was useful mainly as a terror-weapon against the interior of towns and castles." (Van Creveld, 33). Van Creveld underestimates the power and effectiveness of the trebuchet because he has misconstrued the dynamics of its operation.

<sup>112</sup> *LF*, 15.25–28.

<sup>113</sup> *Ibid.*, 175.7.

<sup>114</sup> *Ibid.*, 463.1–5.

<sup>115</sup> *Ibid.*, chap. 16.

<sup>116</sup> *Ibid.*, chap. 41.

<sup>117</sup> *Ibid.*, chap. 194.

<sup>118</sup> *Ibid.*, chap. 202.

At Valencia, a *trabuquet* and two *fenèvol*s were set up opposite the south-east corner of the city wall, far from the city gates, to prevent the likelihood of sallies being mounted against them.<sup>119</sup> To offset the trebuchet's vulnerability to fire, these machines were often protected by mantelets (*cledes*).<sup>120</sup>

### *Analysis of Sieges*

In the age of the gravity-driven trebuchet, it is surprising how few times King James made use of these extremely powerful machines. In his conquest of Majorca city, only three counterweight trebuchets were used. The archbishop of Tarragona who conquered Ibiza with James's approval used only one counterweight trebuchet in addition to a *fenèvol*. On the mainland of Spain James only mentions employing a counterweight trebuchet once, a *trabuquet* at the siege of Valencia (see Table 1). The restricted use of these powerful machines may not be due simply to their scarcity in James's army, although this may be a factor. In 1267 a *brigola* was constructed for the King's army costing 2,320 *sous*, indicating that these machines were very expensive.<sup>121</sup> On the other hand, since rebel barons were able to acquire this weapon, as they did at Pomar and Lizana, it was probably not altogether rare. A major factor limiting the use of the counterweight trebuchet was most certainly the difficult terrain of the Valencia region. In addition, James's nearly fifteen-year campaign in the area was always short of resources and needed supplies. King James employed seasonal feudal levies who came and went, erratic numbers of crusade volunteers, town militias, and a small group of loyal enthusiasts. In such circumstances as Father Burns has remarked, James was forced to resort to "a war of maneuver, bluff, and relatively

<sup>119</sup> Ibid., chap. 261.

<sup>120</sup> Ibid., 16.7, 16.30, 41.21, 82.7, 159.8.

<sup>121</sup> ACA, Cancillería real, R. 14, f. 90r (10 June 1267): Astruc Jacob Shishon (Xixon), bailiff of Morella and Peñíscola, acknowledges a debt of 2,320 sueldos of Jaca to King James *ratione bricole quam pro nobis et de mandato nostro fecistis apud Dertusam, et ratione alcofolli et aliorum apamentorum perdicte bricole* "(because of the *bricola* which you made at Tortosa for us and at our order and for reason of the lead ore [for the two counterweights of the machine] and other equipment of the said *bricola*)"; Robert I. Burns, *Medieval Colonialism: Postcrusade Exploitation of Islamic Valencia* (Princeton, 1975), p. 285 and n. 95. This record probably indicates the debt still owed for the *brigola* at Tortosa which King James requested be sent to Pomar to aid in his siege of the city in 1265 (*LF*, chap. 401).

bloodless surrender” in order to achieve success.<sup>122</sup> Had his Muslim foes been able to mount a united front or have been better equipped with siege engines to defend themselves, James’s advance would have been halted, and an international effort, similar to the crusades in the eastern Mediterranean, would have been required in order to achieve victory. As it was, only two really major sieges were mounted, at Burriana and Valencia. Almost everywhere else James managed to achieve his conquests by short sieges, utilizing one or two traction trebuchets, and by offering generous terms of surrender.

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<sup>122</sup> Robert I. Burns, and Paul E. Chevedden, “al-Azraq’s Surrender Treaty with Jaume I and Prince Alfonso in 1245: Arabic Text and Valencian Context,” *Der Islam* 66 (1989): 2.

*Artillery and siege operations during the reign of James I (1213–1276)*

Table 1

**Baronial Wars: First Era of Revolts, 1214–1228**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
Albero de Suso (1218)	1 <i>fenèvol</i>	no information	Garrison surrendered after 2 days of bombardment. <sup>1</sup>
Lizana (May 1218)	1 <i>fenèvol</i>	no information	A bombardment of 24 hrs., during which 1500 stone-shots were hurled, breached the wall, through which attackers entered and took the castle. <sup>2</sup>
Albarracín	1 <i>fenèvol</i> <i>almanjanech</i>	no information	A force of 150 knights besieged the town with an equal force of knights for 2 months. Treachery in James's camp and a night sortie which burnt the trebuchet forced James to abandon the siege. <sup>3</sup>
130 castles and towers (1223)	no information	no information	James assaulted and took 130 castles and towers in the territory of Guillem de Montcada. <sup>4</sup>

<sup>1</sup> *LF*, 15.17–20. On the baronial wars of King James, see Donald J. Kagay, "Structures of Baronial Dissent and Revolt under James I (1213–76)," *Mediaevistik* 1 (1988): 61–85.

<sup>2</sup> *LF*, 15.20–47.

<sup>3</sup> *Ibid.*, chap. 16.

<sup>4</sup> *Ibid.*, 21.27–28.

(Table 1 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
Castle of Cervellón (1223)	no information	no information	Castle taken after a 13-day siege. No details on siege methods used. <sup>5</sup>
Castle of Montcada (Sept.–Nov. 1223)	no information	no information	A force of 400 knights besieged this stronghold garrisoned by 130 knights for 3 months. Due to treachery in the royal camp, James was forced to abandon the siege. No details on siege. <sup>6</sup>
Castle of Bolea (1226)	no information	no information	James withdrew from this fortress complex because of its strong garrison (70–80 knights and many foot soldiers) and its ample provisions. <sup>7</sup>
Castle of Ponzano (1226)	1 <i>almajanech</i>	no information	Taken with the aid of an <i>almajanech</i> . <sup>8</sup>
Castle of Lascellas (1226)	1 <i>almajanech</i>	no information	On the third day of bombardment, the garrison (60–70 knights) agreed to surrender after 8 days. When no relief came, the castle surrendered. <sup>9</sup>
Albelda (1226)	no siege machines	no siege machines	James, with a force of 13 knights and 60–70 foot soldiers, entered the town and took it by force. Garrison surrendered the next morning. <sup>10</sup>
Linezola (Liñola) (1226)	no siege machines	no siege machines	James with a force of 200 knights and 100 foot soldiers, stormed the town. The besieged barricaded themselves in the fortress ( <i>força</i> ) and surrendered the same day. <sup>11</sup>

<sup>5</sup> Ibid., 21.28–29.<sup>6</sup> Ibid., 21.29–52.<sup>7</sup> Ibid., 27.13–24.<sup>8</sup> Ibid., 28.22–23.<sup>9</sup> Ibid., chap. 29.<sup>10</sup> Ibid., chap. 37.<sup>11</sup> Ibid., chap. 39.



*(Table 1 continued)*

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
Balaguer (1226)	2 <i>fenèvols</i>	no information	The town was besieged with a force including 300 knights. A sortie of 25 knights and 99 foot soldiers failed to set fire to the <i>fenèvols</i> . Negotiations brought about the surrender of town. <sup>12</sup>
Agramunt (1226)	no siege machines	no siege machines	Town and castle surrendered without a fight. <sup>13</sup>
Pons (1226)	no siege machines	no siege machines	Town and castle surrendered after minor resistance. <sup>14</sup>

<sup>12</sup> Ibid., chaps. 40–44.<sup>13</sup> Ibid., chap. 45.<sup>14</sup> Ibid., chap. 46.

Table 2

**Baronial Wars: Second Era of Revolts, 1259–1275**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
Fortress of Pedro Maza (1265)			Taken and demolished <sup>15</sup>
Rafals (1265)			Surrendered <sup>16</sup>
Pomar (1265)	1 <i>fenèvol</i> 1 mobile siege tower ( <i>castell de fust</i> )	1 <i>brigola</i>	The <i>brigola</i> of the defenders prevented James from advancing both his <i>fenèvol</i> and mobile siege tower within range to do any harm. James sent to Tortosa for his own <i>brigola</i> , but the siege was raised and the dispute settled by arbitration. <sup>17</sup>
Castle of Picamoixó (Castello del Pont) (1267)			With the approval of James, the men of Tamarit attacked and took this castle, which was then immediately demolished. <sup>18</sup>
Lizana (May 1267)	2 <i>fenèvols</i>	1 <i>brigola</i>	This siege of 5 or 7 days began with an artillery duel between one of James's <i>fenèvols</i> and a <i>brigola</i> operated by the rebel defenders. James personally took charge of the <i>fenèvol</i> and directed the shot which damaged the <i>brigola</i> . The second <i>fenèvol</i> was set up on the second day of the siege and damaged the castle to such an extent that the besieged could no longer defend themselves. The rebel garrison was then forced to surrender. <sup>19</sup>

<sup>15</sup> Ibid., chap. 401.<sup>16</sup> Ibid., chap. 401.<sup>17</sup> Ibid., chaps. 401–03.<sup>18</sup> Ibid., chap. 458.<sup>19</sup> Ibid., chaps. 460–65.

(Table 2 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
La Roca (1275)			The Infante James laid siege to this strongpoint but the siege was abandoned by King James. <sup>20</sup>
Castle of Antillón (1275)			The Infante Peter besieged this castle which surrendered when there was no hope of relief. <sup>21</sup>
Castle of Pomar (June 1275)			The Infante Peter besieged and took this castle held by Fernán Sánchez, who was subsequently killed. <sup>22</sup>
Castle of Calabuig (June 1275)			James took and demolished this castle held by Dalmau de Rocaberti. <sup>23</sup>
Rosas (July 1275)	1 <i>ingenium</i> (trestle-frame traction trebuchet)		A traction trebuchet and stone-shot were transported by ship from Barcelona to besiege this stronghold held by the Count of Ampurias. The siege was raised when the Catalan barons handed the Count of Ampurias over to King James. <sup>24</sup>

<sup>20</sup> Ibid., chap. 549.<sup>21</sup> Desclot, *Crònica*, chap. 69.<sup>22</sup> *LF*, chap. 550; Desclot, *Crònica*, chap. 70.<sup>23</sup> *LF*, chap. 550.

<sup>24</sup> *LF*, chap. 551. ACA, Cancillería real, R. 20, f. 296 (10 October 1275): The bailiff of Barcelona loaned 495 solidi and 1 d[iner] of Barcelona to King James *pro missionibus et expensis quas fecistis pro nobis in discarricando ingeniam nostram et lapides ipsorum ingeniorum que venerunt de exercitu de Roses in navi Bernardi et Pelegrano et in barca de ser Nicholos. Et debemus vobis CCCXVI solidos et octo denarios Barchinone, quos dedistis moleris Barchinone, pro DCCC lapidibus ingeniorum faciendis et pro aportanda parte ipsarum ad litus maris* ("for the outlays and expenses which you made in unloading our siege machine [*ingeniam*] and the stones of this siege machine [*ingeniorum*] which came for the military expedition against Roses in the *nou* [navi] of Bernat and Pelegran and in the *barque* of ser Nicholas [probably Nicholoso d'Albenquena]. And we owe you 316 solidi and 8 diners of Barcelona which you gave to the quarrymen of Barcelona for making 800 stones for the siege machine [*ingeniorum*] and for carrying them from their site to the sea shore"). The term *ingenium* may refer to either a traction or a counterweight trebuchet. Since the price of the siege machine for the Rosas expedition is far lower than the price of the counterweight trebuchet (*bricola*) made by Astruc Jacob Shishon in Tortosa (495 solidi and 1 diner of Barcelona compared to 2,320 solidi of Jaca), it is most likely that the *ingenium* transported to Rosas was a trestle-framed traction trebuchet.

Table 3

## The Crusade Against Islam: The Balearic Islands, 1229–1235

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Majorca city (Palma de Mallorca) (Sept.–Dec. 1229)	1 <i>trabuquet</i> 1 <i>almajanech</i> <sup>25</sup> 2 <i>trabuquets</i> <i>algarrades</i> <sup>26</sup>  1 <i>trabuquet</i> made by men of Marseilles <sup>27</sup>  2 <i>trabuquets</i>  1 <i>fenèvol</i> <sup>28</sup>  2 <i>trabuquets</i>  1 <i>fenèvol</i>  1 <i>manganel turquès</i> <sup>29</sup>  <i>geyns</i> <sup>30</sup>	2 <i>trabuquets</i> 14 <i>algarrades</i> <sup>33</sup>	After three months of continuous bombardment and mining, which destroyed towers and walls, the city was taken by assault on 31 December through a breach made in the wall. <sup>34</sup> The accounts of this siege by James and Desclot both indicate that the double walls of Majorca city were breached by mining. James identifies three mines <sup>35</sup> while Desclot mentions ten. <sup>36</sup> These mining operations cleared a way for the successful assault of the city.

<sup>25</sup> *LF*, 69.3 (.I. *trabuquet e .I. almajanech*), 69.18 (.I. *trabuquet que nós aduxem per mar*), 70.19 (*almajanech*).

<sup>26</sup> *LF*, 69.5 (.II. *trabuquets e alcarrades*).

<sup>27</sup> *LF*, 69.9 (.I. *trabuquet*).

<sup>28</sup> *LF*, 69.11–12 (*nostres trabuquets e el fenèvol*).

<sup>29</sup> *LF*, 69.13–14 (.II. *trabuquets nostres e .I. fenèvol e .I. manganel turquès*).

<sup>30</sup> *LF*, 69.13 (*giyns*), 69.22 (*giyns*), 69.47 (*geyns*), 73.13 (*geyns*), 82.6 (*genys*).

The listing of artillery provided by King James for this siege appears confusing. He first states that he sent for a *trabaquet* and an *almajanech* which were being unloaded from transport ships (69.3). He next mentions the setting up of two *trabuquets* and an unspecified number of *algarrades* (69.3). James then approves the offer of the men of Marseilles to make a *trabuquet* (69.9) James boastfully relates that his *trabuquets* and one *fonèvol* had been set up before the Muslims could erect any of their machines (69.11–12). Next he gives an enumeration of *trebuchets* in his camp—two *trabuquets*, one *fonèvol*, and one *manganel turquès*—and the number and type of the trebuchets used by the Muslims—two *trabuquets* and fourteen *algarrades* (69.13–15). Later he mentions stones being carried to his *fonèvol*s and *trabuquets* (69.43–45). These details invite many possible interpretations, but a plausible resolution of this seemingly conflicting report is that James's enumeration of two *trabuquets*, one *fonèvol*, and one *manganel turquès* accounts for all of the trestle-framed trebuchets—two counter-weight trebuchets (*trabuchets*) and two traction trebuchets (one *fonèvol* and one *manganel turquès*)—except for the one trebuchet constructed by the men of Marseilles. The single pole-framed traction trebuchets (*algarrades*) mentioned earlier by James (69.5) are not cited in his enumeration of artillery because these machines were small and were used to provide covering or neutralizing fire which permitted the besiegers to construct mines and fill in ditches. When James later uses the terms

(Table 3 continued)

Siege	Forces of James I Siege Machines	Muslim Forces Siege Machines	Outcome
Majorca city (cont.)	3 <i>mantels/emperar</i> (digging mantlets) <sup>31</sup>  <i>caves</i> <sup>32</sup>		
Ibiza (Aug. 1235)	1 <i>trabuquet</i> 1 <i>fenèvol</i>	no information	The archbishop of Tarragona, Guillem de Montgrí, received James's approval for an expedition to take Ibiza. He made a <i>trabuquet</i> and a <i>fenèvol</i> which were transported to Ibiza. The <i>fenèvol</i> bombarded the city, and the <i>trabuquet</i> the castle. A breach was made in the outer wall of the city by bombardment and mining and taken by assault. Faced with the loss of the outer wall, the city surrendered. <sup>37</sup>

*fenèvol* and *trabuquet* (69.43–46), he is simply drawing a distinction between the traction and counterweight trebuchets being used by his army. The above interpretation of the data supports the conclusion that James made use of three trestle-framed counterweight trebuchets, two trestle-framed traction trebuchets, and an unspecified number of pole-framed traction trebuchets in the siege of Majorca city.

According to Desclot, James employed four *trabuquets* at the siege of Majorca city. Two *trabuquets*—one belonging to James and the other to Nuño Sanchez—were positioned on a mobile siege tower constructed by Nuño Sanchez. Of the remaining two, one was set up by King James and the other by the men of Marseilles. Another trestle-framed machine called *Arnaldes un gin que havia nom Arnaldes* was also used (Desclot, *Crònica*, chap. 42). The accounts of King James and Desclot can be reconciled if we assume that the two machines on the mobile siege tower of Nuño Sanchez were not counterweight trebuchets but rather traction machines, and if we grant that the *gin qui havia nom Arnaldes* was a counterweight trebuchet. Since the mobile siege tower was used to force the defenders to take shelter while James's forces filled up the ditch (Desclot, *Crònica*, chap. 44), it is most likely that rapid-fire traction trebuchets, rather than counterweight machines, were used on it. The trebuchet called *Arnaldes* ("Son of Arnald") was probably designated by name because of its size, and hence it is quite likely to have been a counterweight machine.

<sup>31</sup> *LF*, 69.21, 23, 29, 31.

<sup>32</sup> *Ibid.*, 69.32, 33; 72.9, 10, 11, 22, 25; 73.26, 29, 31, 33, 34, 35; 80.24; 82.19; 83.6.

<sup>33</sup> *Ibid.*, 69.15, 16, 28.

<sup>34</sup> *Ibid.*, chaps. 69–85; Desclot, *Crònica*, chaps. 14–47.

<sup>35</sup> *LF*, 69.33; 72.9; 73.26; 83.6.

<sup>36</sup> Desclot, *Crònica*, chaps. 40–44, 46.

<sup>37</sup> *LF*, chaps. 125–6.

Table 4

**Valencian Campaign: North of the Júcar River, First Campaign, 1225**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Baronial Forces Siege Machines</i>	<i>Outcome</i>
Peñíscola (Sept.–Oct. 1225)			James abandoned the siege because of the castle's natural defenses and its ample supply of provisions. <sup>38</sup>

Table 5

**Valencian Campaign: North of the Júcar River,  
Second Campaign, 1232–1239**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Burriana (May–July 1233)	1 <i>fenèvol</i> 1 <i>manganel</i> 1 <i>castell de fust</i> (mobile siege tower) mines	2 <i>algarrades</i>	Demolition of the city wall began with bombardment by a <i>fenèvol</i> and <i>manganel</i> . 2 <i>algarrades</i> inside the city were unable to silence the Christian machines. A mobile siege tower was constructed and advanced before the wall where it was put out of action by the bombardment of the <i>algarrades</i> . Mines were dug as sallies in force were conducted by the Muslims. When the mines reached the moat, an assault was made on a tower battered down by the <i>fenèvol</i> . The attack failed, but the defenders sued for terms and surrendered. The 7,032 inhabitants of this strategic town complied with the terms of surrender and withdrew. <sup>39</sup>

<sup>38</sup> Desclot, *Crònica*, chap. 13; Robert I. Burns, *Islam under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton, 1973), 14, 32.

<sup>39</sup> *LF*, chaps. 130, 156–78; Burns, *Islam under the Crusaders*, 140, 160.

(Table 5 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Peñíscola (1233)			Surrendered <sup>40</sup>
Chivert Cervera Polpís (1233)			Surrendered <sup>41</sup>
Castellón de Burriana Borriol Cuevas de Vinrom Alcalatén Villafamés Ares Culla (1233)			Surrendered <sup>42</sup>
Almazora (1233)			Taken by escalade using a beam of an <i>algarrada</i> to climb a tower. <sup>43</sup>
Cullera (June 1235)	2 <i>fenèvols</i>	no artillery	2 <i>fenèvols</i> were transported by ship and set up to bombard the city, but the siege was raised due to lack of stones in the immediate vicinity, the absence of sufficient stone cutters in James's army, and the shortage of stones in the arsenal at Burriana. <sup>44</sup>
Tower of Moncada (1235)	1 <i>almagenech</i> / <i>fenèvol</i>	no artillery	A trestle-framed traction trebuchet ( <i>almagenech/fenèvol</i> ) was brought from Burriana to besiege this rural tower. After 5 days of continuous bombardment the Muslims surrendered. <sup>45</sup>

<sup>40</sup> *LF*, chaps. 182–84; Burns, *Islam under the Crusaders*, 118, 126–27, 166, 383.

<sup>41</sup> *LF*, chaps. 130 and 185; Burns, *Islam under the Crusaders*, 126–27.

<sup>42</sup> *LF*, chaps. 130 and 186; Burns, *Islam under the Crusaders*, 126–27.

<sup>43</sup> *LF*, chaps. 191.

<sup>44</sup> *LF*, chaps. 192–95; Burns, *Islam under the Crusaders*, 160.

<sup>45</sup> *LF*, chaps. 197, 200–202; Burns, *Islam under the Crusaders*, 160; Robert I. Burns, S.J., *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia: Societies in Symbiosis* (Cambridge, 1984), 36.

(Table 5 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Tower of Museros (1235)	1 <i>fenèvol</i>	no artillery; the defenders cushioned the masonry with baskets full of earth which were destroyed by the besiegers	On the third day of bombardment by a <i>fenèvol</i> , the garrison surrendered. <sup>46</sup>
Castle of Almenara (1238)			Surrendered <sup>47</sup>
Castle of Castro (1238)			Surrendered <sup>48</sup>
Castle of Uxó (1238)			Surrendered <sup>49</sup>
Castle of Nules (1238)			Surrendered <sup>50</sup>
Castle of Alfàndec (1238)			Surrendered <sup>51</sup>
Paterna (1238)			Surrendered <sup>52</sup>
Bétera (1238)			Surrendered <sup>53</sup>
Buñilla (1238)			Surrendered <sup>54</sup>
Silla (1238)	1 <i>fenèvol</i>		Surrendered after 8 days of bombardment. <sup>55</sup>

<sup>46</sup> *LF*, chap. 203.<sup>47</sup> *LF*, chaps. 243–47; Burns, *Islam under the Crusaders*, 127, 160–61.<sup>48</sup> *LF*, chap. 249; Burns, *Islam under the Crusaders*, 127.<sup>49</sup> *LF*, chaps. 250–51; Burns, *Islam under the Crusaders*, 127.<sup>50</sup> *LF*, chap. 252; Burns, *Islam under the Crusaders*, 127.<sup>51</sup> *LF*, chap. 253; Burns, *Islam under the Crusaders*, 131, 336.<sup>52</sup> *LF*, chap. 254; Burns, *Islam under the Crusaders*, 127.<sup>53</sup> *LF*, chap. 254; Burns, *Islam under the Crusaders*, 127.<sup>54</sup> *LF*, chap. 254; Burns, *Islam under the Crusaders*, 127.<sup>55</sup> *LF*, chap. 263; Burns, *Islam under the Crusaders*, 127.



(Table 5 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
<b>Valencia</b> (April–Sept. 1238)	1 <i>trabuquet</i> 2 <i>fenèvol</i> s mines	no information	Continuous bombardment and mining, coupled with the failure of a Hafsîd fleet to land a relief force, forced the Muslims to surrender. <sup>56</sup>
Rebollet (1239)	no information	no information	Guillem d'Alagó besieged and took this town while James was in Montpellier. <sup>57</sup>

Table 6

**Valencian Campaign: South of the Júcar River, 1240–1245**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Castle of Bairén (Aug. 1240)			Surrendered <sup>58</sup>
Villena (Aug. 1240)	1 <i>almajanech</i> / <i>fonèvol</i>	no information	Besieged by the Infante Ferdinand with a <i>fenèvol</i> . When this machine was destroyed by a sortie, the siege was abandoned, but the town later surrendered after <i>almogàvers</i> set up a fortified camp ( <i>bastida</i> ) before it. <sup>59</sup>
Castle in the plain of Játiva (1240)			Besieged and taken; method unknown. <sup>60</sup>

<sup>56</sup> *LF*, chaps. 261–80; Desclot, *Crònica*, ch. 49; Burns, *Islam under the Crusaders*, 35–36, 106, 144, 160, 289–91.

<sup>57</sup> *LF*, chap. 295.

<sup>58</sup> *LF*, chaps. 308–10, 314; Burns, *Islam under the Crusaders*, 127, 160, 162, 165, 168, 169.

<sup>59</sup> *LF*, chaps. 311 and 315.

<sup>60</sup> *LF*, chap. 320.

(Table 6 continued)

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Castellón de Játiva (1240)			Surrendered <sup>61</sup>
Algezira (1242)			Surrendered <sup>62</sup>
Játiva (1244)			Two siege campaigns (summer 1239 and summer 1240) led to a negotiated compromise, while a third (1244) brought about the surrender of the city through James's skillful negotiations. <sup>63</sup>
Biar (Sept. 1244– Feb. 1245)	1 fenèvol	no information	Surrendered <sup>64</sup>
Castalla (1245)			Acquired from Abū Zayd, former ruler of Valencia, in exchange for Cheste and Villamarchante. <sup>65</sup>
Cullera, Gandía, Denia, and other towns and castles in the Kingdom of Valencia (1245)			Taken, probably by surrender <sup>66</sup>

<sup>61</sup> *LF*, chap. 327.<sup>62</sup> *LF*, chaps. 329–25, 334–54; Desclot, *Crònica*, ch. 49.<sup>63</sup> *LF*, chaps. 317–26, 334–54; Desclot, *Crònica*, ch. 49; Burns, *Islam under the Crusaders*, 160, 161, 340–43; Robert I. Burns, "Játiva's Fall and Mudejar Constitution (1244): History, Significance, and Latinate Provisions" (Paper delivered at the meeting of the Middle East Studies Association, Portland, Oregon, 31 October 1992).<sup>64</sup> *LF*, chaps. 355–59; Burns, *Islam under the Crusaders*, 129, 166, 369.<sup>65</sup> *LF*, chap. 360; Burns, *Islam under the Crusaders*, 302.<sup>66</sup> Desclot, *Crònica*, chap. 49. Muntaner's list of towns, cities, and castles taken by King James as the result of the capture of Játiva is even more extensive than that provided by James or Desclot (Ramón Muntaner, *Crònica*, in *Les quatre grans cròniques, Jaume I, Bernat Desclot, Ramon Muntaner, Pere III*, ed. Ferran Soldevila (Barcelona, 1971), chap. 9.

Table 7

**Crusade Against al-Azraq, 1245–1258**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Forces of al-Azraq Siege Machines</i>	<i>Outcome</i>
Pop Tàberna (April, 1245)			Surrendered <sup>67</sup>
Luchente (March, 1248)			Besieged and taken from al-Azraq <sup>68</sup>
Gallinera Alcalá and 16 castles (1258)			Taken from al-Azraq <sup>69</sup>

Table 8

**Murcian Campaign, 1265–1266**

<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Villena (1265)			Surrendered <sup>70</sup>
Elda (1265)			Surrendered <sup>71</sup>
Petrer (1265)			Surrendered <sup>72</sup>
2 castles held by the son of Ibn Hūd (1265)			Surrendered <sup>73</sup>

<sup>67</sup> Robert I. Burns and Paul E. Chevedden, al-Azraq's Surrender Treaty with Jaume I and Prince Alfonso in 1245: Arabic Text and Valencian Context, *Der Islam* 66 (1989): 1–37; Burns, *Muslims, Christians, and Jews*, 323–32.

<sup>68</sup> Joaquim Miret i Sans, *Itinerari de Jaume I "El Conqueridor"* (Barcelona, 1918), 190, 191, 195; Robert I. Burns, "The Crusade against Al-Azraq: A Thirteenth-Century Mudejar Revolt in International Perspective," *AHR* 93 (February 1988): 91.

<sup>69</sup> *LF*, chap. 376; Burns, "Crusade against Al-Azraq," 105.

<sup>70</sup> *LF*, chaps. 410–12; Burns, *Islam under the Crusaders*, 129.

<sup>71</sup> *LF*, chap. 413.

<sup>72</sup> *LF*, chap. 414.

<sup>73</sup> *LF*, chap. 422. With the surrender of these two castles, King James "got back everything [he] had lost from Villena down to Orihuela, and from Alicante to Orihuela, so that anyone could go along the roads safe and sound" (*LF*, chap. 422).

(Table 8 continued)

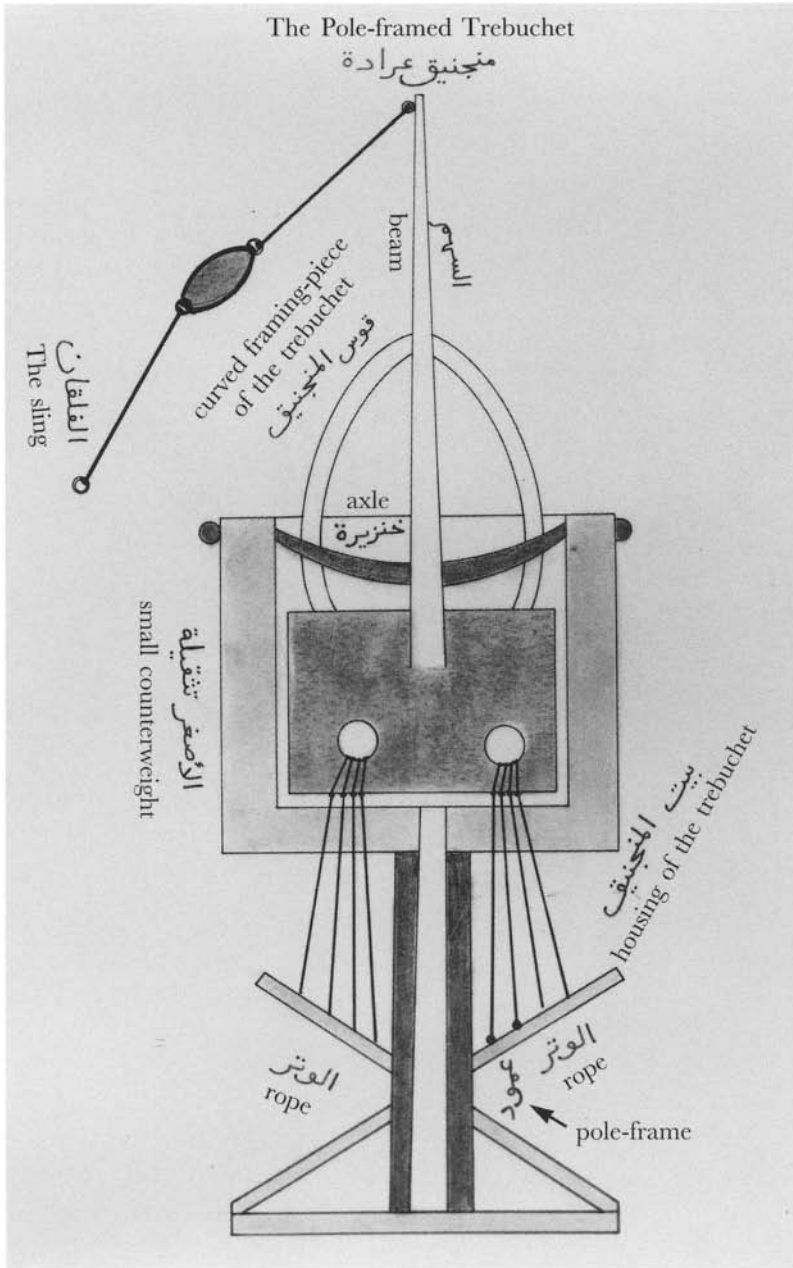
<i>Siege</i>	<i>Forces of James I Siege Machines</i>	<i>Muslim Forces Siege Machines</i>	<i>Outcome</i>
Elche (1265)			Surrendered <sup>74</sup>
Castle of Alhama (1265)			James was advised by Pedro Núñez de Guzmán, master of Uclés, and Alfonso García, official of Castile in Murcia, that this castle could be taken quickly if an <i>almagenech</i> were used to besiege it. James, however, decided not to lay siege to the castle because: 1) the ridge on which the castle was situated was unsuitable for the setting up of a trebuchet; 2) James estimated that a successful siege would take at least a month; 3) a Muslim relief force from Murcia could easily endanger the siege; and 4) James's army had only enough food for another day. <sup>75</sup>
Murcia (Jan.-Feb. 1266)			Surrendered <sup>76</sup>
28 castles between Murcia and Lorca			Surrendered <sup>77</sup>

<sup>74</sup> *LF*, chaps. 416–21; Burns, *Islam under the Crusaders*, 129.

<sup>75</sup> *LF*, chaps. 429–30.

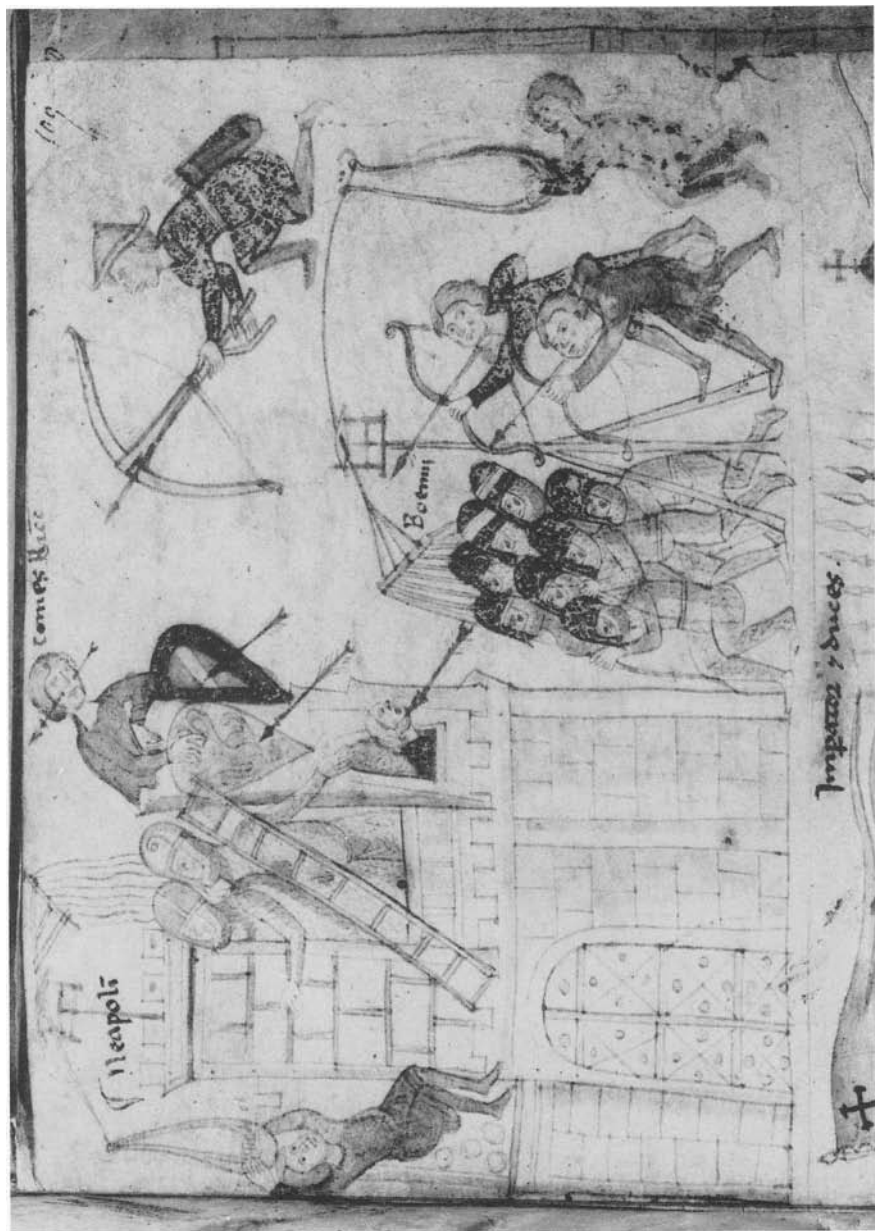
<sup>76</sup> *LF*, chaps. 434–44; Desclot, *Crònica*, ch. 65; Burns, *Islam under the Crusaders*, 38–39, 129, 182.

<sup>77</sup> *LF*, chap. 453; Desclot, *Crònica*, ch. 65; Burns, *Islam under the Crusaders*, 129.

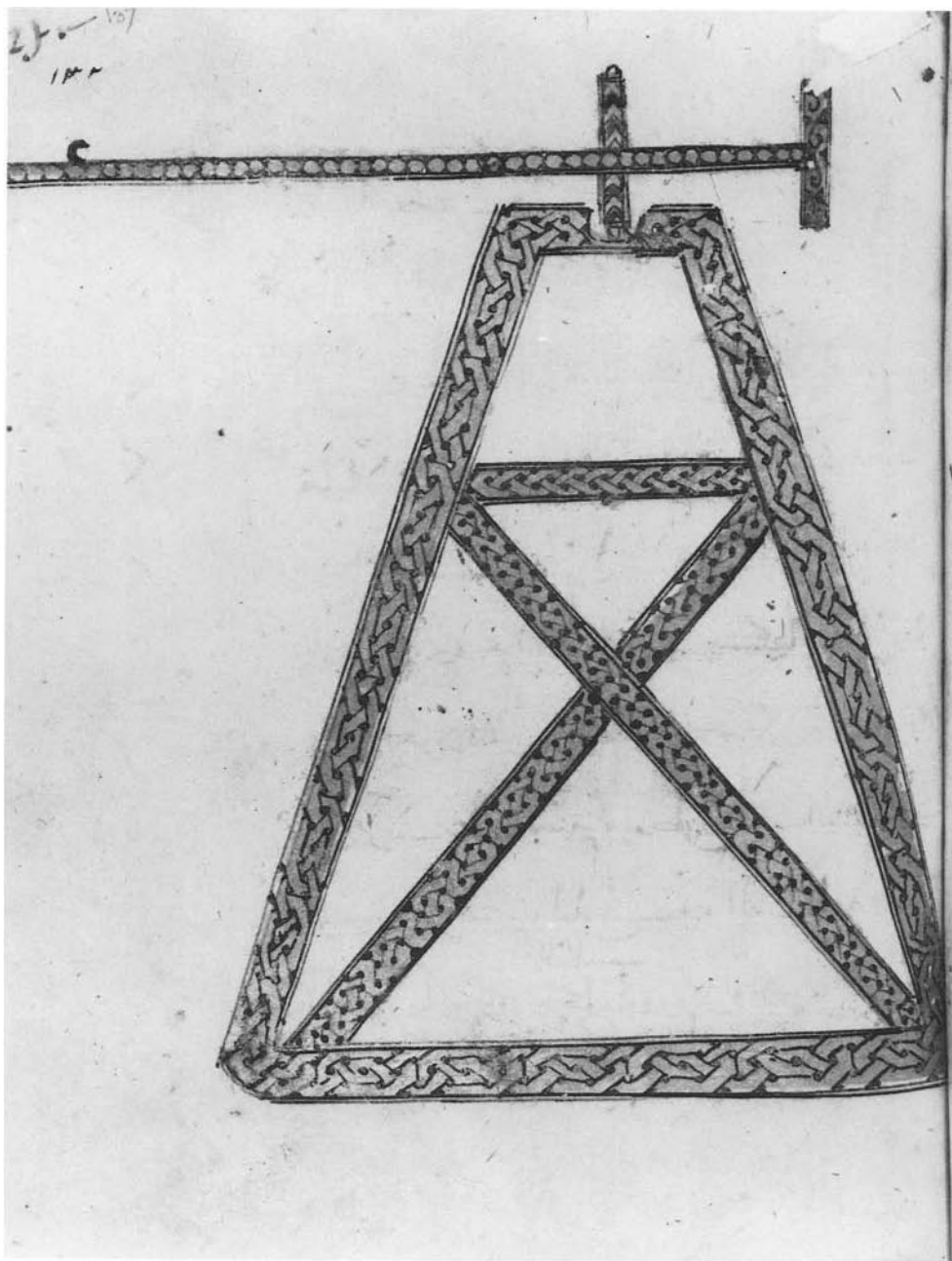


1. The single pole-framed traction trebuchet (*manjanīq ʿarrādah*), illustrated in Ibn Urunbughā al-Zaradkāsh's *Kūtāb anīq fī al-manājanīq* (867/1462-63). A small counterweight is fixed to the butt-end of the rotating beam of this machine to enhance its power. After *Kūtāb Anīq fī al-manājanīq*, MS 3469/1, Ahmet III Collection, Topkapı Sarayı Müzesi Kütüphanesi, Istanbul, fol. 44r.



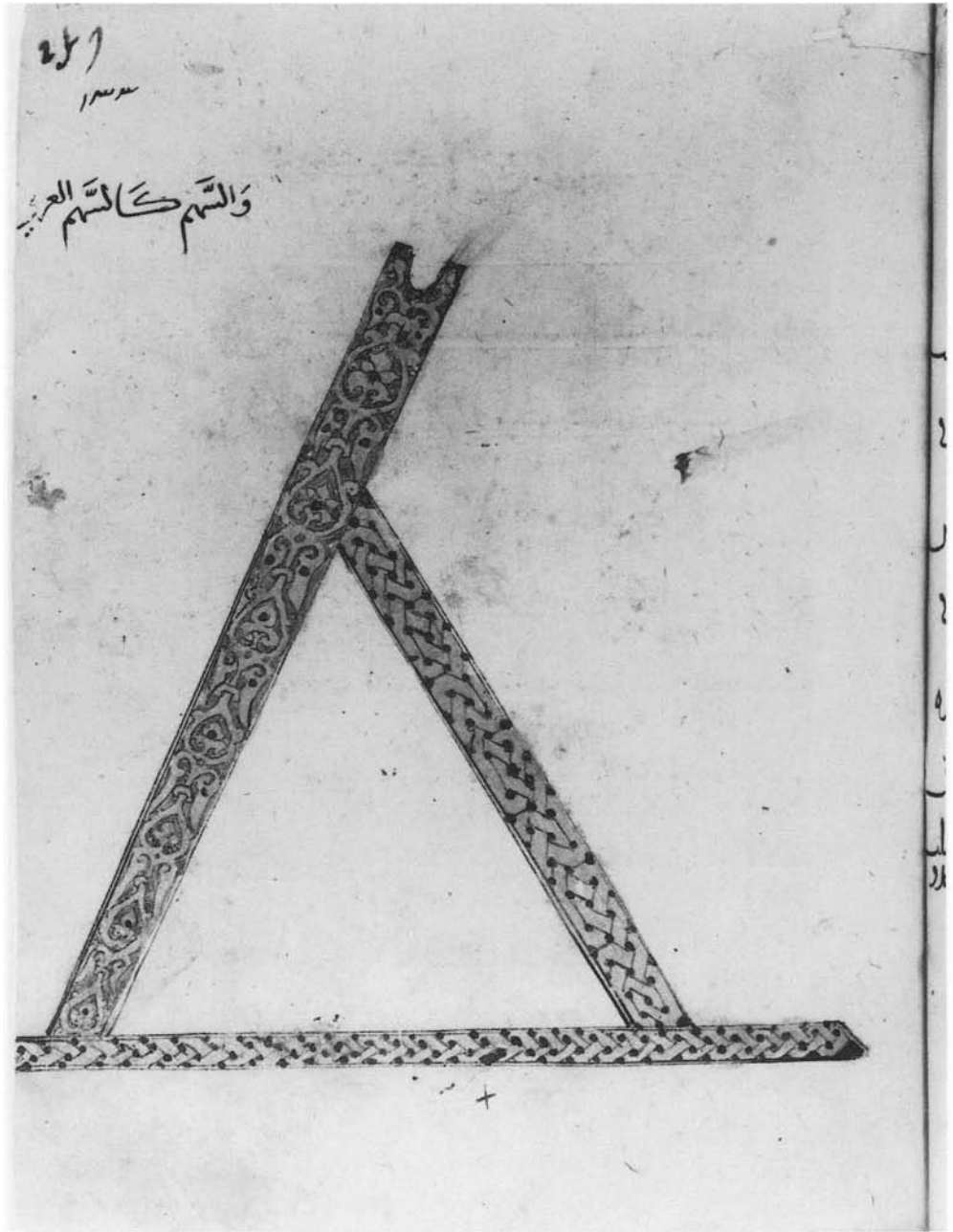


3. Normans besiege Naples with a pole-framed traction trebuchet, while defenders prepare to launch a stone-shot from a similar machine. Bern, Stadt- und Universitätsbibliothek, MS 120, Peter of Eboli, *Carmen de rebus siculis*, fol. 109r.

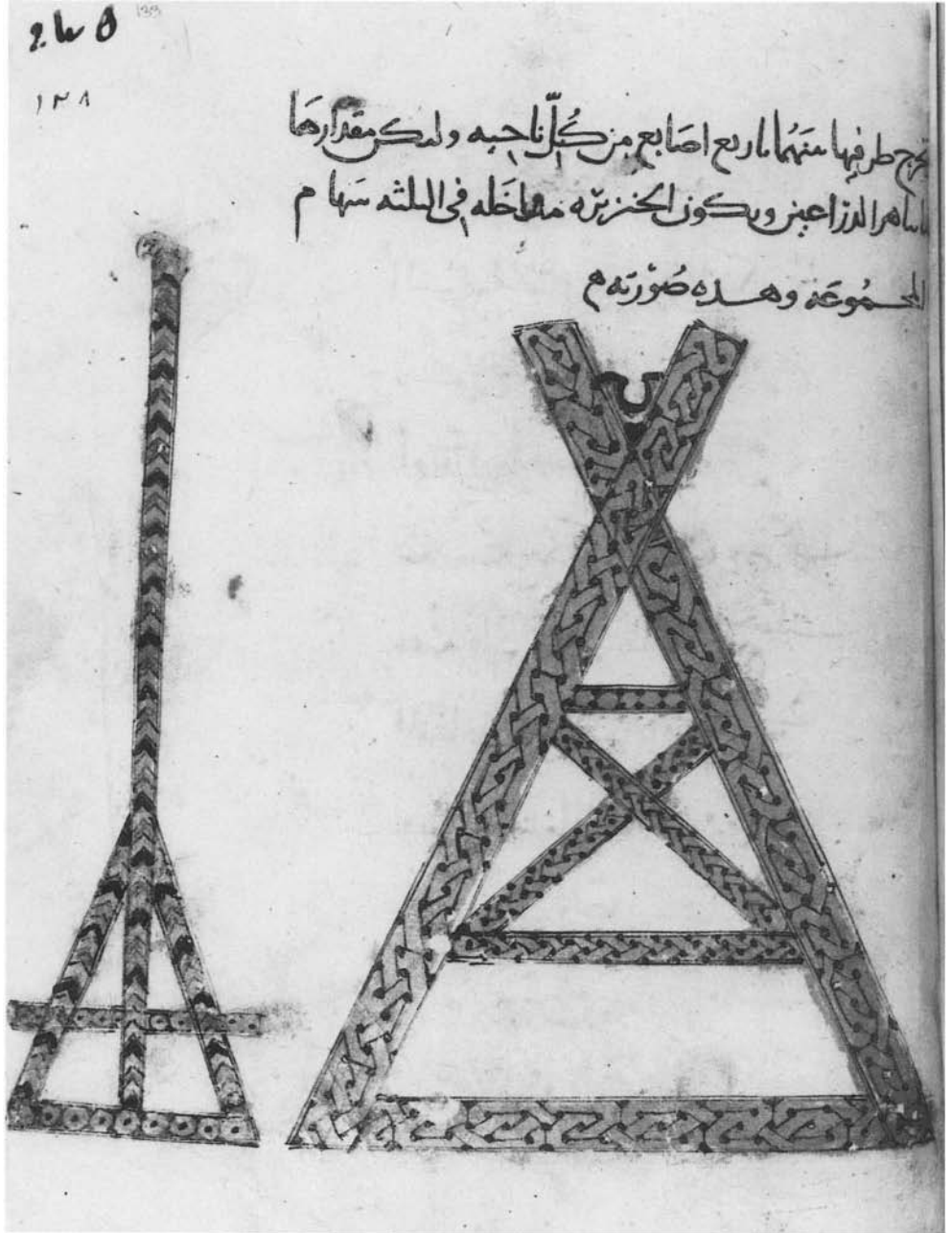


4. Al-Ṭarsūsī's Arab trebuchet (*al-manjanīq al-ʿarabī*). Oxford, Bodleian, MS Hunt. 264, al-Ṭarsūsī, *Tabṣīrah fī al-ḥurūb*, fol. 137r.





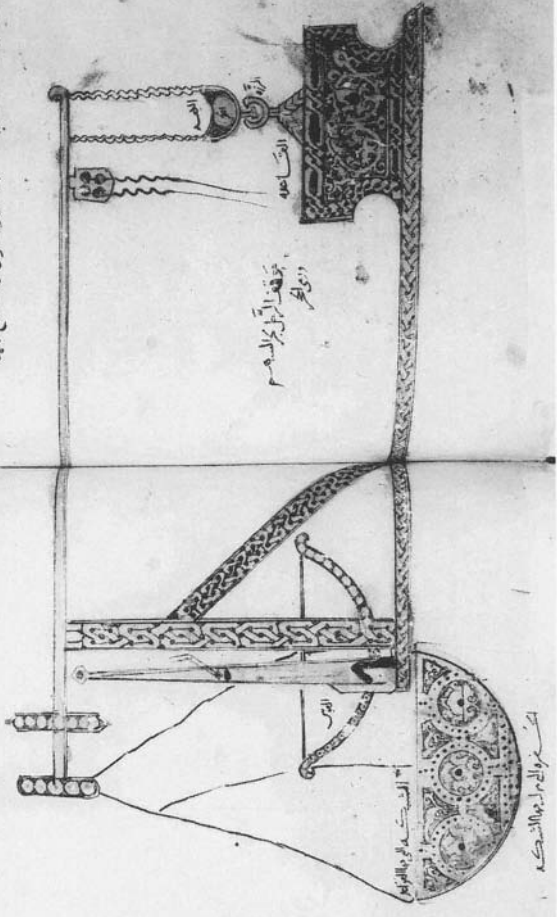
5. Al-Ṭarsūsī's Persian or Turkish trebuchet (*manjanīq al-fārisī wa-huwa al-turkī*). Oxford, Bodleian, MS Hunt. 264, al-Ṭarsūsī, *Tabṣīrah fī al-ḥurūb*, fol. 138r.



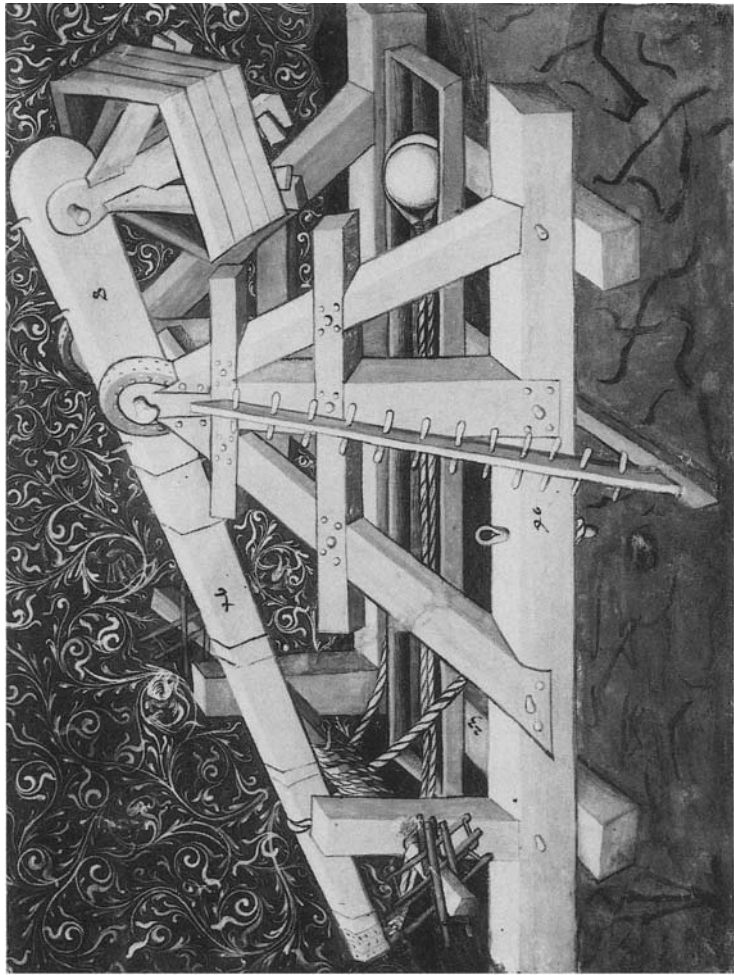
6. Al-Ṭarsūsī's Christian or Frankish trebuchet (*al-manjanīq al-rūmī wa-huwa al-ifranjī*).  
 Oxford, Bodleian, MS Hunt. 264, al-Ṭarsūsī, *Tabṣīrah fī al-ḥurūb*, fol. 133r.

نبدأ أن تصنع الحجر والكفة وصلوها في الحظاف الموضوعة في رأس السهم ما رأينا  
 الكفة عطفها في الجود حلقه اسفلها في طائفة ثبتت في ياقعه من ذلك السهم  
 وترفع الحبال التي رفع الشبك في خطاف مثبت في الحبال ما زاد طول الحبال إلى الكفة  
 السهم ويجري ما يروى به اسمهم في ساعد الكفة معلقا على اسمهم في موضع  
 واحد والخطاف حلقها ومكانه موزون كالشئ

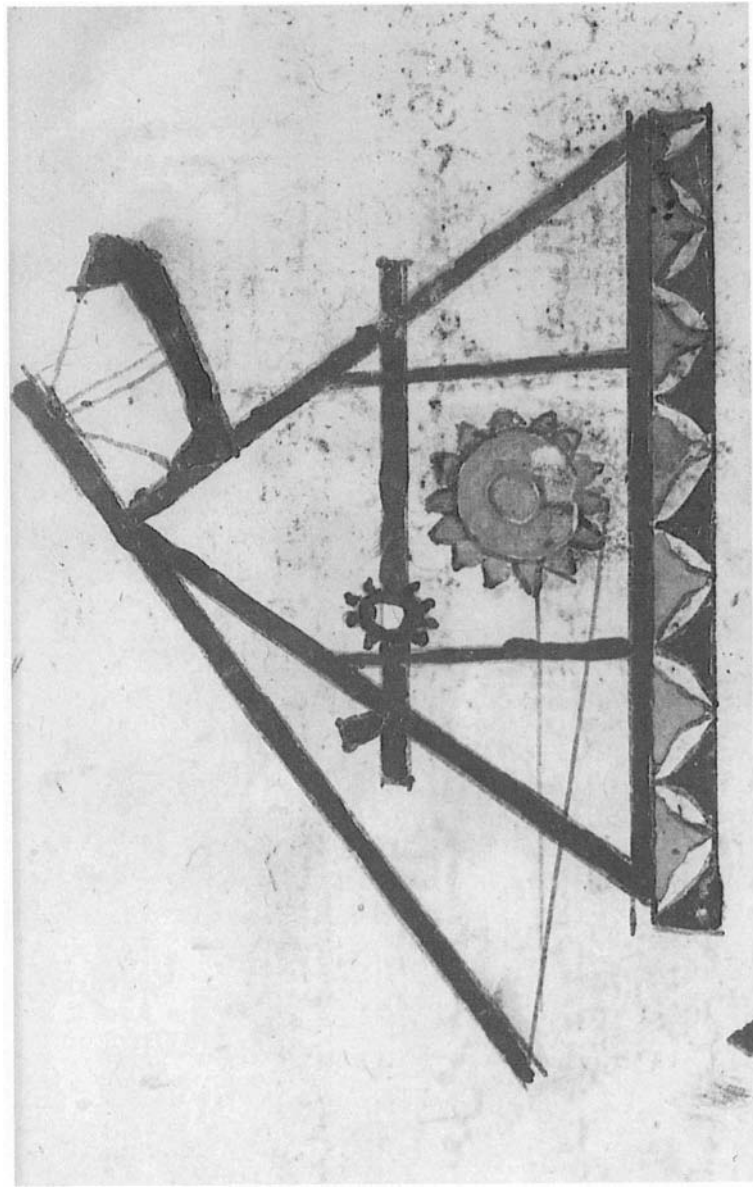
تدريجاً إلى الشبك مغلوب رأس السهم الكفة عاد كالقوس فإذا جرى اشتغل  
 ويخرج من الخرج ما يصل استقاماً على الحصص في خطاف من الحجر ومستكاه وحبال  
 مثبتة في القوس وصل حلقه ما إذا اسفل إلى الكفة في الكفة ما زاد إلى الكفة  
 والشفك مغلوب السهم معلقاً على الكفة أو يكون على طرفها ما زاد إلى الكفة في الكفة



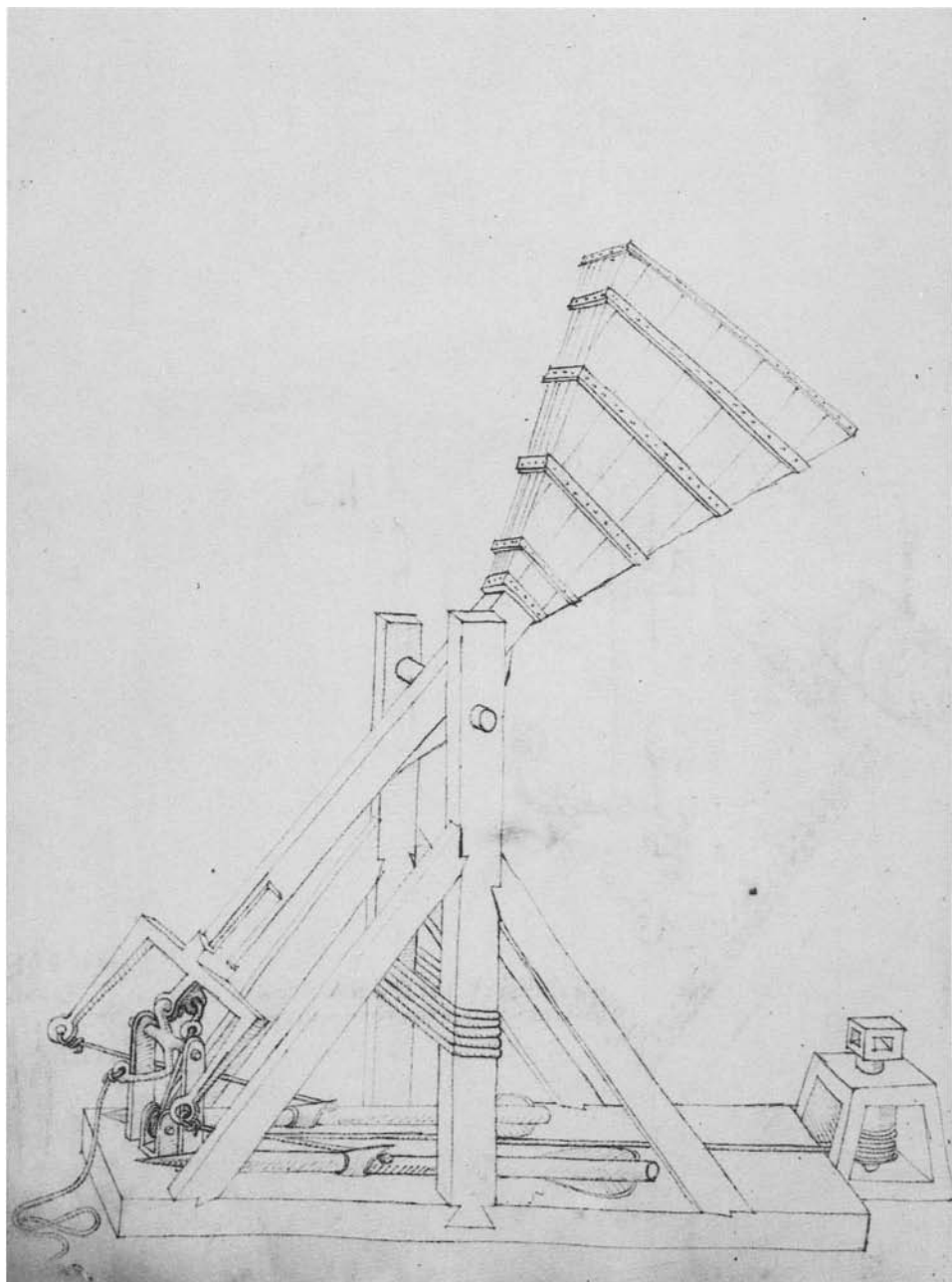
7. Al-Ṭarsūsī's counterweight trebuchet, the earliest extant illustration of a gravity-powered trebuchet, dating from c. 1187. This machine, operated by a single man, served two functions: it was medium-size trebuchet, having the same throwing power as a "fifty-man" traction machine, and it also functioned as a spanning device for a large siege crossbow, shown on the left. Oxford, Bodleian, MS Hunt. 264, al-Ṭarsūsī, *Tabīrāh fi al-hurūb*, fols. 134v-135r.



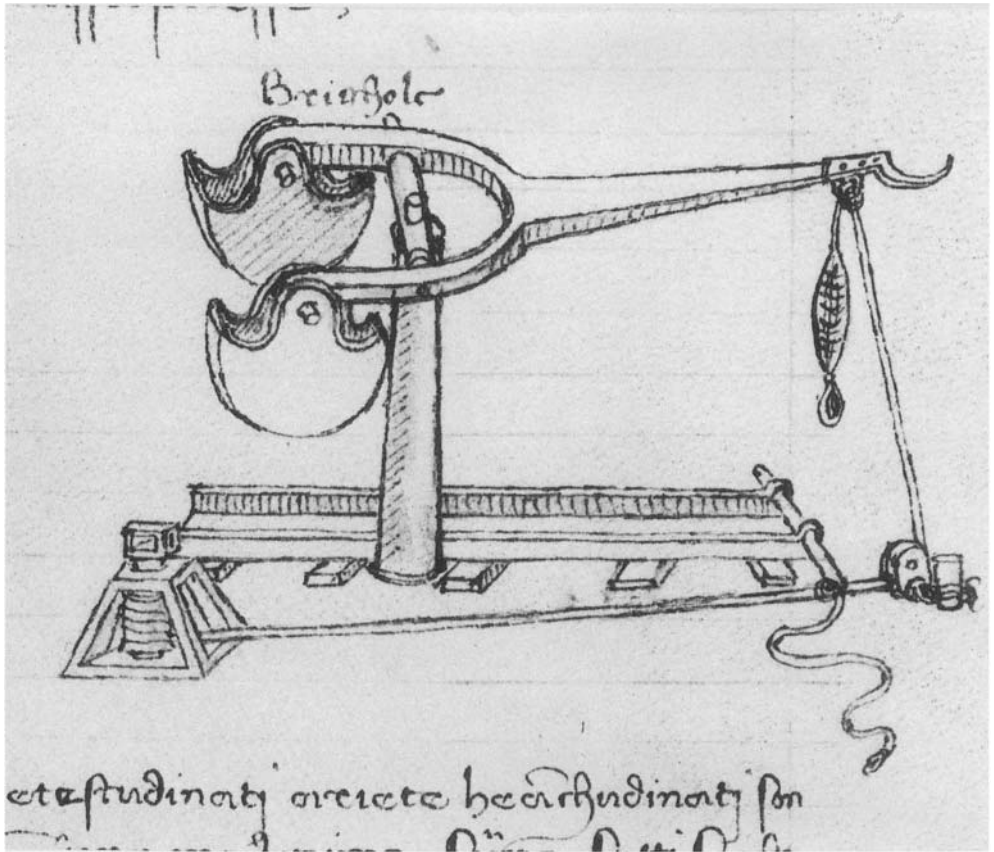
3. A hinged counterweight trebuchet from *Bellifortis*, a treatise by Conrad Kyeser of Eichstätt which was left incomplete at his death in 1405. The main beam, counterweight box, sling, projectile, trough, windlass and framework are all clearly visible. The machine has some of its dimensions numbered; the long arm of the beam is forty-six feet, and the short arm eight. The prong at the end of the long arm, which is essential for the release of the sling, is not depicted. Instead, both cords of the sling are incorrectly shown as being attached to a ring at the extremity of the long arm. This massive machine used a simple peg-and-hole catch-and-trigger device to retain and release the beam. A hole is drilled in the base of one of the triangular trestles of the machine, shown in the foreground, for the insertion of a peg. A restraining rope, attached to the base of the other triangular trestle is drawn over the long arm of the beam at a point just above the windlass and is looped over the bottom end of the peg. When the peg is lifted out of its socket, the looped end is released, and the beam flies free. Trebuchet beams were often banded circumferentially with iron (as shown in the illustration), or lashed with rope, to help them withstand splitting. This type of machine was identified in Arabic historical sources as the Western Islamic trebuchet (*manjaniq maghribi*). Germany, Göttingen, Universitätsbibliothek, Cod. MS philos. 63, fol. 30r.



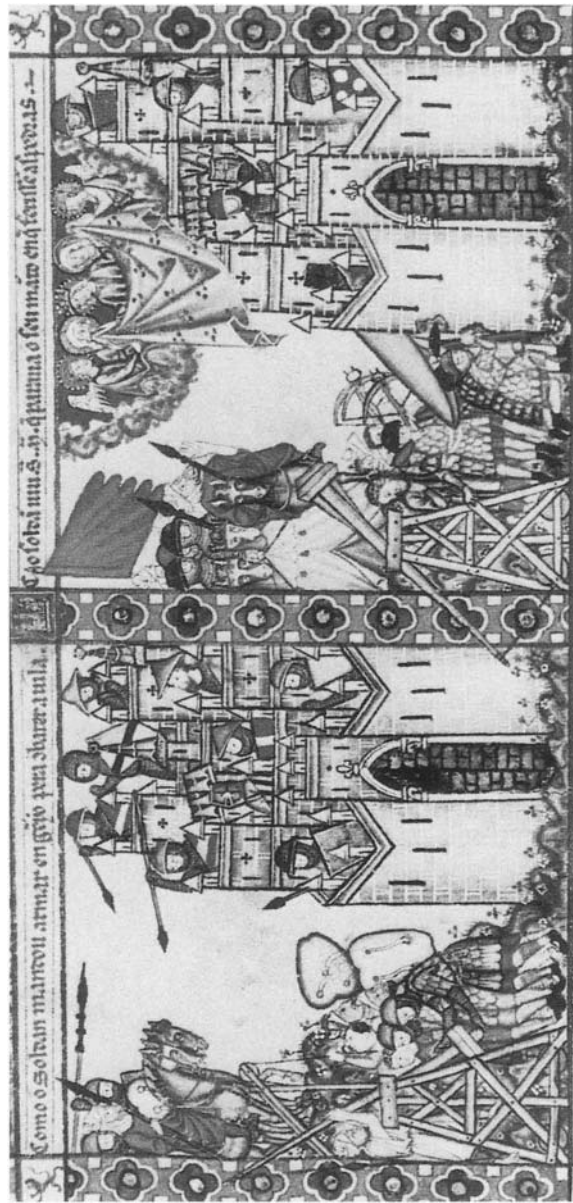
9. The Western Islamic trebuchet (*manjaniq maghribī*). Paris, Bibl. Natl., MS arabe 2825, al-Rammāh, *Kutāb al-furūṣiyyah*, fol. 92r.



10. A bolt-projecting trebuchet illustrated in Francesco di Giorgio Martini's *Trattati di architettura* (Italy, 1470-80). This machine was identified in Arabic historical sources as the Black Camel trebuchet (*manjanīq qarābughrā*). Florence, Bibl. Nat., MS II.I.141, Francesco di Giorgio Martini, *Trattati di architettura*, fol. 195v.

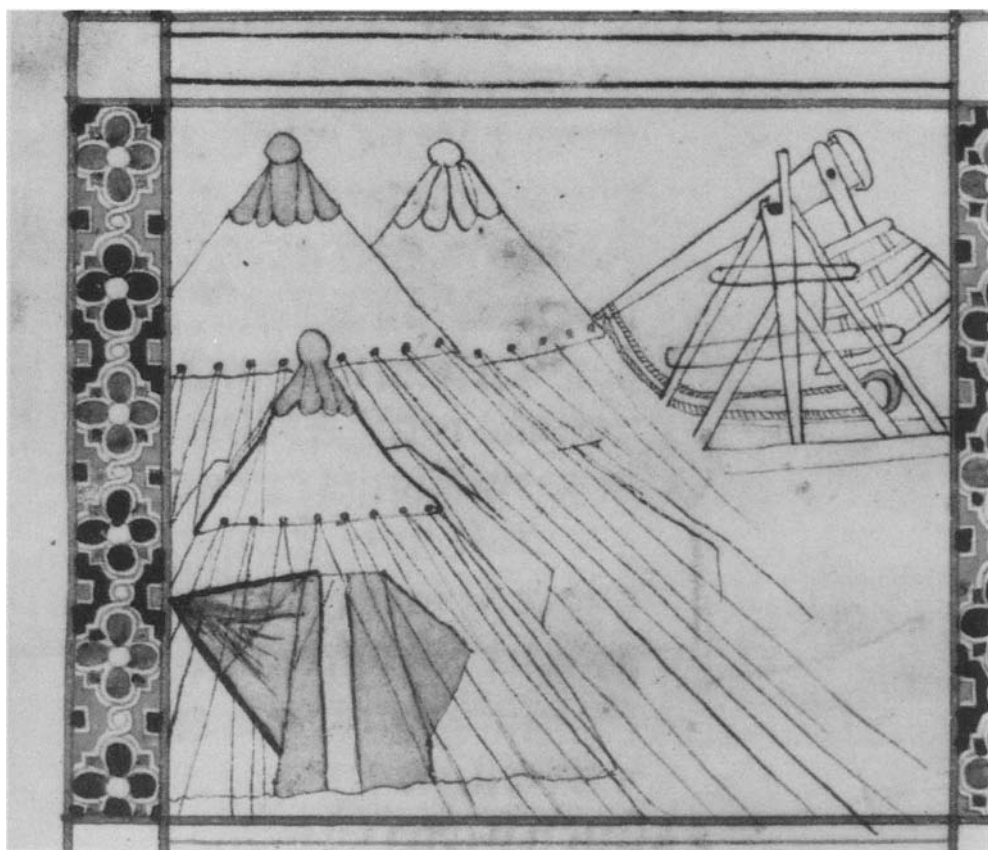


11. The “bricchole” (*bricola*), a pole-framed trebuchet with two hinged counterweights illustrated in Francesco di Giorgio Martini’s *Trattiti di architettura* (Italy, 1470-80). This machine was identified in Arabic historical sources as the Frankish or European trebuchet (*man-janiq firanjī/ ifranjī*). Turin, Bibl. Reale de Turino, MS Saluzzo 148, Francesco di Giorgio Martini, *Trattiti di architettura*, fol. 60r.



12. Muslim siege of Constantinople illustrated in the *Cantigas de Santa Maria* (c. 1280). The narrative sequence in cantiga 28c (L.) shows a trebuchet in the process of assembly. Its rotating beam with a fixed counterweight is being mounted on the trestle frame of the machine. The chief engineer (foreground, L.) is guiding the axle bearings of the rotating beam onto the journal blocks surmounting the two trestles. Behind the counterweight trebuchet is a "hand-trebuchet", operated by a single man. This traction machine consists of a forked beam, pivoting on a horizontal axis supported upon a single pole-frame. The pulling rope, attached to the frame of the machine, passes around a pulley affixed to the forked end of the beam, giving the puller a mechanical advantage. Cantiga 28d (R.) shows the trebuchet as it is about to discharge its missile. Mary uses her mantle, held by two saints and two angels, to protect the city from bombardment. Protective screens, suspended from the battlements of city walls and castles, were widely used in the pre-gunpowder era throughout Eurasia and North Africa to shield fortifications from bombardment. El Escorial, Biblioteca de San Lorenzo el Real, MS T.I.1, *Cantigas de Santa Maria*, fol. 43r.





13. Counterweight trebuchet with hinged counterweight. Florence, Biblioteca Nazionale, MS Banco Rari 20, *Cantigas de Santa Maria*, fol. 8r.







ARMY MOBILIZATION, ROYAL ADMINISTRATION,  
AND THE REALM IN THE THIRTEENTH-CENTURY  
CROWN OF ARAGON

Donald J. Kagay

Martin Van Creveld, mirroring the views of nineteenth-century military historian Antoine Jomini, has defined logistics as "the practical art of moving armies and keeping them supplied."<sup>1</sup> Victory on the battlefield thus reflects superior administration as much as it does superior strategy or valor. The successful maintenance of soldiers and manipulation of their energies in gaining military ends are not strictly modern phenomena but are, rather, as old as war itself. In Socrates view: "The general must know how to get his men their rations and every kind of equipment needed for war."<sup>2</sup> This paper will investigate the career of one such general, James I, ruler of the Crown of Aragon, whose life as king and soldier can scarcely be distinguished.

In a work from the reign of his great-great-grandson Peter IV, the *Ordinances of the Royal Court*, it was observed that the principal duties of kingship were the maintenance of the domestic peace and protection against foreign enemies. Both obligations imposed on the sovereign "the necessity of going to war and living under . . . tents and pavilions."<sup>3</sup> Such actions seemed only natural to James the Conqueror who took to the rough-and-ready existence of camp and battlefield in every decade of life from adolescence onward and, in fact, died in 1276 while preparing for yet another war. The expeditions he mounted depended very largely on the enemy he intended to fight. From his earliest years as king, James was forced to put down one baronial rebellion after another in both Aragon and Catalonia. In these fairly small conflicts, he relied heavily on town militiamen who were required to serve the king at their own expense for up to three months whenever called. These troops, which possessed an *esprit d'corps* tied

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<sup>1</sup> Martin Van Creveld, *Supplying War. Logistics from Wallenstein to Patton*, (Cambridge, 1979), 1.

<sup>2</sup> General Sir Archibald Wavell, *Generals and Generalship* (New York, 1942), 2; *Warfare in the Ancient World*, ed. Sir John Hackett (London, 1989), 12.

<sup>3</sup> *CDACA*, 5:84.

to home town loyalty, "knew as much of war" as the nobles and could successfully hold them at bay.<sup>4</sup> In very few of these struggles did the king show himself as a ruthless victor but instead sought a largely unconditional renewal of peace or at least a neutralization of mischief his great men could cause in the rural districts of his realms.<sup>5</sup>

In distinction to these domestic wars, James's reputation as a great warrior was made in a stunning series of victories which brought the Muslim principalities of Majorca, Valencia, Játiva, and Murcia under his control. Though the *ta'ifa* states were greatly weakened by lack of manpower and incessant strife among themselves,<sup>6</sup> James practiced a "reconquest art of war" which had emerged centuries before he became an initiate in it. Like many an earlier Christian raider into Muslim Spain, the king sought to win cheap victories by avoiding pitched battles except when the superiority of his armored troops could be brought into play against the more mobile Muslim formations and by harrying Muslim territory with swift raids which disrupted enemy commerce and agriculture and by capturing Muslim castles through blockade, bluff and liberal surrender terms.<sup>7</sup> From such bases perched on the ragged frontier with Saracen Spain, the Conqueror, like his predecessors in all of Christian Iberia, was perfectly positioned to carry out the localized war which the *reconquista* was during most of its history. What James brought to the age-old rhythms of reconquest warfare was a determination and adaptability not to be seen again until the era of the last phase of the *reconquista*, the war against Granada.<sup>8</sup>

In James's long career as leader of armies, success or failure on the battlefield was often measured by individual feats of arms. Like

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<sup>4</sup> ACA, Cancillería real, R. 12, f. 66; *Llibre dels feits (LF)* in *Les quatre grans cròniques*, ed. Ferran Soldevila (Barcelona, 1961), chap. 397, p. 147; Donald J. Kagay, "Structures of Baronial Dissent and Revolt under James I (1213–76)," *Mediaevistik* 1 (1988): 64; James Powers, *A Society Organized for War: The Iberian Municipal Militias in the Central Middle Ages 1000–1284* (Berkeley, 1980), 61–2.

<sup>5</sup> Kagay, 68.

<sup>6</sup> Philippe Contamine, *War in the Middle Ages*, trans. Michael Jones (London, 1984), 57; David Wasserstein, *The Rise and Fall of the Party Kings: Politics and Society in Islamic Spain 1002–1086* (Princeton, 1985), 146.

<sup>7</sup> Contamine, 58–9; Paul Douglas Humpries, "Of Arms and Men: Siege and Battle Tactics in the Catalan Grand Chronicles," *Military Affairs* 49 (1985): 173–8; Robert Ignatius Burns, *Islam under the Crusaders. Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton, 1973), 161.

<sup>8</sup> Miguel Angel Ladero Quesada, *Castilla y la conquista del Reino de Granada* (Granada, 1987); Peggy K. Liss, *Isabel the Queen. Life and Times* (Oxford 1992) 194–233.

latter-day Rolands or Cids, James and his great nobles could overwhelm the Muslim enemy by the timely delivery of a "good stroke of war".<sup>9</sup> Such battlefield heroics, however, can scarcely explain James's rapid defeat of the Muslim *ta'ifas* of Majorca and Valencia between 1229 and 1238. For this, we must turn to a royal officialdom, whose growing efficiency allowed the Conqueror to keep his troops in the fields longer than his predecessors had, and to do so with much less help from the rest of Christian Europe.

Even though James, like most medieval kings, owned a number of residences, he could seldom afford to spend a great deal of time in them. Instead the royal household led a predominately peripatetic life which was supported as much by royal resources as it was by the hospitality of clerics, nobles and townsmen. Like the military encampment of a royal host, the royal court must have seemed very much like a "great town".<sup>10</sup> The king and his company of noble and clerical attendants thus presented problems identical to those posed by a royal army—both groups had to be housed and fed each day, though neither significantly contributed to their own maintenance. The challenge to local economies caused by the rationing and billeting such outsiders intensified the longer they remained in one place. To address this constant concern, medieval sovereigns turned to the very royal officialdom, whose needs stood at the heart of the problem. The king thus relied on an increasingly complex network of servitors who managed his household, wrote his documents, presided over his tribunals, and carried his "government" away from the curial nucleus to the local periphery.<sup>11</sup> As the number of officials increased, however, and their tasks became more complex, the supply of the various necessities of the royal court became increasingly difficult. Even the salaries they were paid put their royal master's finance under constant strain. In effect, the officials symbolized the quandary of every medieval monarch—with a set of revenues, hemmed in by the exemptions and privileges of his great subjects, where was all the hard currency needed by the Crown to be found? From the reign of James's grandfather Alfonso II (1162–96), the sovereign in the Crown

<sup>9</sup> *LF* [Soldevila edition for all entries], chap. 228, p. 97. *bona guerrenia*.

<sup>10</sup> *Ibid.*, chap. 265, p. 109. *una gran vila*.

<sup>11</sup> For royal officialdom in thirteenth-century Crown of Aragon, see Joseph F. O'Callaghan, *A History of Medieval Spain* (Ithaca, 1975), 445–7, 455; Jesús Lalinde Abadía, "El ordenamiento interno de la Corona de Aragón en la época de Jaime I," *X CHCA*, *Ponencias*, 186–97.

of Aragon filled this burgeoning financial gap by a more efficient—some would say ruthless—collection of customary income and a better system of accounting for the money which ultimately came under the control of the Crown. With the spendthrift tone of Peter II's years (1196–1213) and James's own disastrous adolescence, an epoch of deficit spending emerged which was marked by a stream of loans to the king by his great men. These were eventually paid back by the pledging of future royal revenues to the lender for a specified time. Though this kind of "crisis financing" was eventually replaced by the return to a more formal system of tax collection and fiscal accounting, government by I.O.U. or *albaranum* was never totally done away with, and re-emerged when any number of crises besieged the Crown and its finances.<sup>12</sup> The most flagrant offender against the realm's financial and political stability was war and James's penchant for waging it. With the fiscal restraints under which the Conqueror often operated, a glorious martial career such as his could only be accomplished by the king's canny manipulation of both customary and extraordinary sources of funding and military service. In short, James's success as war leader was firmly based on his skills as administrator of men and *matériel*.

At the heart of the process by which military forces were mustered in the medieval Crown of Aragon and other contemporary European realms was a set of protective and supportive relationships between sovereign and subject. In both Aragon and Catalonia, men swore their fidelity to the king and the "homeland" (*patria*) he represented.<sup>13</sup> One of the paramount duties imposed on subjects by this allegiance was service in the royal host whenever requested. In Catalonia, this general obligation was particularized in the feudal "pact" (*convenientia*), in which vassals at all levels promised to render military service to their lords on demand.<sup>14</sup> This private obligation was transmuted into a public one by Catalonia's fundamental law, the *Usatges of Barcelona*, which in its article *Princeps namque* ruled that if the Count of Barcelona was in need of military assistance, all men of Catalonia

<sup>12</sup> Thomas N. Bisson, "Las finanzas del joven Jaime I (1213–1228)," X *CHCA, Comunicaciones*, 1–2:161–208; Bisson, *Fiscal Accounts of Catalonia under the Early Count-Kings (1151–1213)* 2 vols. (Berkeley, 1984), 1:86–150.

<sup>13</sup> *Revelations of the Medieval World*, vol. 2 of *A History of Private Life*, ed. Philippe Aries and Georges Duby, 3 vols. (Cambridge, MA, 1988), 10; Thomas N. Bisson, "The Problem of Feudal Monarchy: Aragon, Catalonia, and France," *Speculum* 53 (1978): 463.

<sup>14</sup> *LFM*, 1:docs. 73, 98, pp. 87, 105–6.



with "the age or strength for fighting" were duty-bound to immediately answer the royal call to arms.<sup>15</sup> This same method of summoned group defense was established on a local level with the development of the *sometent*, a vigilante force in Catalan village and countryside which aided royal officials in maintaining the peace and apprehending criminals.<sup>16</sup>

The summoning of forces in the Crown of Aragon, no matter who they were called on to fight or for how long, entailed the operation of the royal government on all levels. Some three to four weeks before the sovereign required his army to assemble, written summonses were issued to all nobles and town councils customarily required to serve. This task was carried out by bailiffs and vicars as well as the corps of messengers and post riders (*cursores*, *trotarii*) attached to them.<sup>17</sup> Though the summoned parties might have been alerted to the emergency which required their military presence by earlier royal communiques,<sup>18</sup> they normally received only a very general idea of these details from the summons itself. While silent in such details, the document was extremely informative in regard to mustering particulars. Troops were to report to a certain site at a certain time with "arms, equipment, and bread" for a specified period from three days up to three months depending on their customary terms of service.<sup>19</sup> Nobles were responsible for gathering their "company" of knights and attendant footmen while the towns called out their militia. The logistical phase of such mustering operations, in light of the short period allotted for their completion, must have grown increasingly frantic as the assembly date approached. Owing to the state of roads in his realms and his own complex agenda, however, the king himself could not always honor his own sternly-imposed schedule for army summoning. It was not even unheard of for forces called out to fight in one theater of operations being diverted

<sup>15</sup> *Usatges de Barcelona. El codi a mitjan segle XII*, ed. Joan Bastardas (Barcelona, 1984), art. 64, pp. 102–3; *The Usatges of Barcelona. The Fundamental Law of Barcelona*, trans. Donald J. Kagay (Philadelphia, 1994), art. 64, p. 80.

<sup>16</sup> *CDACA*, doc. 23, pp. 124–6; Joaquim Miret y Sans, *Itinerari de Jaume I "el Conqueridor"* (Barcelona, 1918), 268–9; Lalinde Abadía, 195.

<sup>17</sup> Lalinde Abadía, 115, 119; José Martínez Aloy, "Los correos de la curia regia," *Analecta sacra tarraconensia* 18 (1944): 92–114.

<sup>18</sup> ACA, Cancillería real, R. 23, f. 43; Miret y Sans, 526.

<sup>19</sup> ACA, Cancillería real, R. 17, f. 12; R. 18, ff. 14v, 62, 65, 82v; R. 22, f. 13; R. 23, f. 45; *Cartas reales, Jaime I*, (extra series), no. 33 (1); Fernando Fondevilla, "La nobleza catalano-aragonesa por Ferran Sanchez de Castro de 1274," *I CHCA*, 2:1097–9, 1117–20, 1129–30, 1132–3, 1150–3; Humphries, 174; Kagay, "Structures," 64.

to quite another with very little advance warning.<sup>20</sup> Despite such communication lapses, the military summons proved an effective instrument for the rapid gathering of an entire army in whatever proportions the king desired.<sup>21</sup> The swift functioning of the summons must be attributed to its broad administrative underpinning—royal officials, whether calling out armies, requiring attendance at the parliament or demanding the payment of taxes, played much the same role before much the same audience. To the great men of his jurisdictions, the royal functionary made known the will of a faraway sovereign and then oversaw the proper general response to it.<sup>22</sup>

The issuance of a summons mobilized not only the king's military units but also his officials. Those functionaries not responsible for delivering the summons were themselves quickly informed of the upcoming gathering of the army. Some few were transferred from their normal posts to take up other duties in support of the military enterprise. Substitutes for officials on war service were named to carry out their regular duties for the duration of the conflict.<sup>23</sup> One of the principal obligations of all officials in regard to the royal host was the collection of money and its disbursement for supplies and services. Such activities were essential in spite of the nexus of pledged allegiances and obligations which brought the host out in the first place; for though the king was surrounded by compulsory warriors, he was also compelled to rely on other military professionals such as artillerymen and sappers. If an overseas campaign was contemplated, ships had to be leased or built and then outfitted with suitable crews and material. If border strife loomed, especially along the Aragonese or Valencian frontiers, castle garrisons had to be gathered, supplied and paid.<sup>24</sup> If any of his expeditions lasted longer than the custom-

<sup>20</sup> ACA, Cancillería real, R. 23, ff. 50v, 51; Ferran Soldevila, *Pere el Gran*, Institut d'estudis catalans. Memòries de la secció històrico-arqueològica, nos. 11, 13, 16, 22. Two parts in four, (Barcelona, 1950–62), 2, pt. 2:doc. 63, p. 476; Fondevilla, 1153.

<sup>21</sup> Military forces throughout medieval Iberia were distinguished according to size and function. A *cabalgada* was a small force which served ceremonial functions for a lord and acted as a raiding behind enemy lines. A *guardia* or *quart* was a castle garrison but also occasionally served in the field. The principal field army, however, was the general feudal levee or host (*hueste*, *host*).

<sup>22</sup> For ties between the military and parliamentary summons in the Middle Ages, see Thomas N. Bisson, "The Military Origins of Medieval Representation," *AHR* 710 (1966): 1199–1218.

<sup>23</sup> Miret y Sans, 533.

<sup>24</sup> Bonifacio Palacios Martín, "La frontera de Aragón con Castilla en la época de Jaime I," *X CHCA, Comunicaciones*, 1–2:494.

ary service limit of his feudal levees, then these troops also had to be paid and fed.<sup>25</sup> In addition to all of these military considerations, the sovereign still had lands to rule; at the center of his camp and army stood his court which, though attenuated, still carried on the business of government through its salaried functionaries.<sup>26</sup> For all these reasons and many others attendant on the waging of war, James had an ever more immediate and uncompromising need of funds than usual when he engaged in military enterprises. He met this need time and again by the artful manipulation of financial possibilities both private and public, national and international.

Despite the regularization of royal revenue and accounting, the funding of the king's wars, except in very few instances, was the result of impromptu financing. With the constant demands on the royal fisc posed by a network of paid public servants and a court in which kingly largesse was expected, the reservation of funds for the conducting of future wars was out of the question.<sup>27</sup> When the king thus declared a state of war existed, his first concern was finding sufficient cash to carry out the conflict. These fonts of financial support may be visualized as concentric rings revolving out from the sovereign. They ranged from loans of private individuals to subsidies of corporate bodies such as parliaments, town councils, monasteries or Jewish communities to customary taxes or tribute collected by royal officials to extraordinary grants made by the Papacy in conjunction with a crusade against Muslim Spain.

The contributions put up by individuals and corporations, not from any customary duty but rather because of a direct appeal by the king, were seldom made wholly for the "common good" but were instead tinged with fear or greed. Though the king could not demand monetary aid at this level, the pressure he exerted intensified as the military emergency deepened. Such contributors "to the enterprise of the army"<sup>28</sup> were much more willing to part with their money if they themselves felt threatened by the enemy whom James proposed to fight. Thus the "perfidy of the pagans[Muslims]" or the

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<sup>25</sup> *LF*, chaps. 152, 208, pp. 72, 90; Kagay, 64.

<sup>26</sup> Donald J. Kagay, "James the Conqueror as War Leader and Strategist: A Lifelong Apprentice to the Battlefield," Paper read before *25th International Congress on Medieval Studies*, Kalamazoo, MI, May, 1990, 10.

<sup>27</sup> J. Lee Shneidman, *The Rise of the Aragonese-Catalan Empire, 1200-1350*, 2 vols. (New York, 1970), 1:136.

<sup>28</sup> ACA, Cartas reales, Jaime I (extra series), no. 61 (1).

“madness” of a rebellious noble might pry loose financial support from religious and urban centers in harm’s way. However, such grants were never fully unconditional; the king always had to give something in return. The most basic of these provisions was the king’s admission that such “liberality” would not form a precedent for his future fund-raising efforts.<sup>29</sup> Much more tangible benefits—such as exemption from royal excise taxes and dues—were also promised to those answering the royal funding call. The final prize of such monetary support and “gratuitous service” was a share in the army’s victory. The contributors might have their potential rewards specified even before the campaign began or instead await royal generosity which came in the van of final triumph.<sup>30</sup> In either case, many a individual supporter of James’s war effort was indeed rewarded ten times over.<sup>31</sup> Such windfalls, largely confined to the reconquest campaigns, consisted of portions of conquered territory, Muslim slaves, or money garnered from the sale of booty and prisoners.<sup>32</sup>

The funds pledged to the king’s war effort came into his coffers under the supervision of royal officials who were essential in marshalling both public and private money. A large source of military revenue was provided from taxes and other customary dues which either centered on the raising of armies or were diverted to this purpose. The very process of summoning troops afforded two important sources of taxation: the *redemptio exercitus*, a payment made in lieu of service in the royal army<sup>33</sup> and the *defectus servitii* or *fallimentum*, the fine levied for the failure to answer the military summons or a proven dereliction of duty on the battlefield.<sup>34</sup> Despite the money making potential of such revenue sources, the king was occasionally forced to infringe the norms of customary taxation and claim “arbitrary exactions” (*questias*). These were extorted from townsmen and, more frequently, from the Jewish communities, which put up large

<sup>29</sup> *DJ*, 1:docs. 110, 123, 146, pp. 205–6, 229–30, 263–4; ACA, Cancillería real, R. 13, ff. 223v, 225; *LF*, chaps. 483, 492–3, pp. 168, 171; Miret y Sans, 358.

<sup>30</sup> ACA, Cancillería real, R. 14, f. 69; *DJ*, 1:docs. 70, 72, 85, 183, pp. 149–52, 173, 315–6; *Colección diplomática de Jaime I, el Conquistador*, ed. Ambrosio Huici Miranda, 3 vols. (Valencia, 1916–22), 1:doc. 105, p. 195.

<sup>31</sup> *LF*, chap. 32, p. 19. James to the town counsellors of Daroca (1224): “For every penny you lose . . . I will willingly forfeit you ten to one.”

<sup>32</sup> *LF*, chaps. 55, 102, 205, pp. 38, 54, 89.

<sup>33</sup> ACA, Cancillería real, R. 23, ff. 8v–9; *Cartas reales, Jaime I* (extra series), no. 64 (3).

<sup>34</sup> ACA, Cancillería real, R. 23, f. 70v; *Pergaminos de Jaime I*, no. 1916.

amounts of money to insure that the potency of royal protection would continue unabated.<sup>35</sup>

The king could indeed lay hands on a good deal of cash from private and corporate contributors but the need for long-term financial support repeatedly induced him to convoke his parliaments; for, as James himself said in 1264, "without . . . [the *Cortes*], this business of war cannot be settled; it is too important."<sup>36</sup> The parliament allowed the king to attain an immediate "national" support base for his military plans. Subsidies, such as the Catalan *bovatge*, which were approved in the parliament, were collected throughout the realm. The parliament itself became an arena in which private pledges of aid and equipment attained a quasi-official character. As James's life wore on and his hunger for waging war remained undiminished, he found the *Cortes* of his realms very penurious paymasters, even when he promised to repay their subsidies many times over.<sup>37</sup> The parliament, however, was not the only source of large scale extraordinary funding the Crown could tap. On three occasions, the campaigns against the Balearics and Valencia and the aborted expedition to the Holy Land, James qualified as a crusader and, as such, was entitled to one-twentieth of the clerical revenues of his lands for up to three years. Papal support proved a boon in supporting royal wars which also happened to chastise the Infidel and yet such funding was not unconditional. The recipient of Papal funding actually had to carry out the crusade. With James's reputation as a "despoiler of his clergy", Rome was not always willing to trust its money to him.<sup>38</sup> When it

<sup>35</sup> ACA, Cartas reales, Jaime I, no. 61 (2); Francisco de Bofarull y Sans, "Los judíos en el territorio de Barcelona (siglos X a XIII). Reinado de Jaime I (1213-76)," I *CHCA*, 2:docs. 131, 150, pp. 924-5, 934-5; Yitzak Baer, *A History of the Jews in Spain*, trans. Louis Schoffman, 2 vols. (Philadelphia, 1961), 1:84-6.

<sup>36</sup> *LF*, chap. 381, p. 141. *a tan gran cosa como aquesta, cort hi ha mester.*

<sup>37</sup> *LF*, chaps. 389-90, p. 144; *DJ*, 1:doc. 239, pp. 388-9. James's parliaments dealing with military matters were: Tortosa-1225; Barcelona-1228, Monzon-1232, Monzon-1236, Barcelona-1264, Zaragoza-1264, Lerida-1272, Lerida-1275, Lerida-1275.

<sup>38</sup> Martín Fernández de Navarrete, "Disertación crítica sobre la parte que tuvieron los españoles en las guerras de ultramar o de la cruzadas," *Memorias de Real Academia de Historia* 5 (1817):docs. 12-3, pp. 168-70; Maureen Purcell, *Papal Crusading Policy, 1244-91* vol. 11 of *The History of Christian Thought*, ed. Heiko Oberman (Leiden, 1975), 137-48; *LF*, chap. 534, p. 180; *DJ*, 3:docs. 432-3, pp. 227-30. James suffered the distrust of the Papacy from the 1240s because of his seizure of clerical revenues in his lands and in his implication in the mutilation of the Bishop of Gerona. Though having a great reputation as a crusader in Spain, his efforts at attacking the Seljuks were characterized by one member of the Papal Curia as "a little dog barking at a big one who pays no attention to him."

did so, it was only after receiving some assurance that the king actually planned expeditions against his Muslim neighbors or needed immediate help in quashing rebellions of Saracens populations in own dominions.<sup>39</sup>

When all the above-discussed sources of revenue were exhausted, the king eventually had to rely on his own good name as a credit risk and the interim help of his officials to make ends meet in regard to military costs. When his fiscal strategies failed him or he was in critical need of ready cash, James had to borrow money—sometimes at high interest—from his wealthy neighbor Sancho VI of Navarre, agents of the Knights Templar, or his own barons. For spot financing, he relied on his officials who made up cost overruns in exchange for an *albaranum* which was to be paid off from royal revenues at some later date.<sup>40</sup>

With funds in hand or at least pledged, James turned to the equally complex phase of putting such hard-won money to its best use. Through years of military experience, the Conqueror had learned a practical lesson expounded by the Roman military writer Vegetius: “The principal point in war is to secure plenty of provisions and to weaken or destroy the enemy by famine.”<sup>41</sup> To attain the second of these objectives, the king immediately set about to interdict the flow of supplies across enemy lines. He prohibited the sale of “horses, arms, and victuals” to his adversaries under the pain of a heavy fine.<sup>42</sup> The blockade was bolstered by the posting of troops under the command of royal officials or trusted barons in the frontier zone separating the Crown of Aragon from its Christian and Muslim neighbors. Such garrison duty often transcended feudal responsibilities except when municipal militia were involved.<sup>43</sup> As such, it re-

<sup>39</sup> ACA, Bulas pontificias, Legajo X, nos. 47, 50.

<sup>40</sup> ACA, Cancillería real, R. 14, ff. 62, 99; R. 20, f. 318; R. 22, f. 37v; *Cartas reales, Jaime I* (extra series), no. 61(1); *DJ*, 1:docs. 118, 164, pp. 222–3, 242–3; Angel J. Martin Duque and Luis J. Fortun Perez de Ciriza, “Relaciones financieras entre Sancho el Fuerte de Navarra y los monarcas de la Corona de Aragón,” *X CHCA, Comunicaciones*, 3, 4, and 5:171–2, 180; A. J. Forey, *The Templars in the Corona de Aragon* (London, 1964), 350.

<sup>41</sup> Flavius Vegetius Renatus, *The Military Institutions of the Romans*, trans. Lieutenant John Clark (Harrisburg, PA, 1944), 71.

<sup>42</sup> ACA, *Cartas reales, Jaime I*, no. 24; Cancillería real, R. 10, f. 4; R. 18, f. 69; Miret y Sans, 503, 506; *Usatges*, art. 100, p. 136.

<sup>43</sup> ACA, *Cartas reales, Jaime I*, nos. 72, 79; *LF*, chaps. 21, 180, pp. 12, 81; Palacios Martín, 490–1; Robert Ignatius Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia* (Cambridge, 1984), 33–6; Powers, 150–1. James soon

quired payment and eventually received notice in the royal accounts. A glimpse of the supply costs of James's armies, albeit in miniature, is thus provided. At the beginning of his last campaign in March of 1276, the king posted his Catalan seneschal Ramón I de Montcada to the Aragonese frontier with forty knights and 151 horses "both armored and unarmored". The bill submitted to the Crown for this service came to a little under twelve Barcelona *sous* per man per month.<sup>44</sup> A receipt submitted by the vicar of Cerdanya and Conflent in 1269 for similar service but for a full year came to a monthly rate of twenty *sous* a man.<sup>45</sup> The costs of James's overseas expeditions were also often a matter of public record. In the king's attempted crusade of 1269, the transport and upkeep of one knight cost between ten and twelve *sous* of Tours a day. A schedule of similar expenses was also recorded for other members of the host and court including crossbowmen, falconers, muleteers, and even the king's baker.<sup>46</sup> With these sketchy statistics in mind, we may glean some idea of the escalating supply and transport expenses imposed on royal finances by James's longer campaigns, such as those of Majorca and Valencia which required up to fifteen thousand men for intermittent seasons of combat in several successive years.<sup>47</sup>

To maintain even a fairly small force imposes on any general, the Conqueror included, logistical exigencies which grew more complex the longer the troops remained in the field. James's soldiers, like other Mediterranean armies stretching back to ancient times, lived on a

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discovered that the strong Muslim fortresses of Majorca and Valencia would not be conquered "except by famine".

<sup>44</sup> ACA, Cancillería real, R. 20, ff. 342, 345; Miret y Sans, 532-3.

<sup>45</sup> Miret y Sans, 422.

<sup>46</sup> Francesch Carreras i Candi, "La creuada a Terra Santa," I *CHCA*, 1:120-36.  
     Crossbowmen-20 *sous* of Tours a day  
     Men of Retinue-7 *sous* of Tours a day  
     Muleteer-6 *sous* of Tours a day  
     Falconer-3 *sous* of Tours a day  
     Baker-8 *sous* of Tours a day.

<sup>47</sup> Alvaro Santamaria, "La expansion politico-militar de la Corona de Aragón bajo la dirección de Jaime I: Baleares," X *CHCA*, *Ponencias*, 122-3; *LF*, chaps. 16, 39, 50-4, 153, 178, 255, pp. 9-10, 24, 29-32, 72, 80, 106; Contamine, 126-7. Campaigns against rebellious nobles were waged by forces as small as one-hundred-and-fifty knights while the longer expeditions against the Muslims drew up to fifteen-hundred knights. Santamaria and others suggest that a multiple of ten would approximate the full number of cavalry and infantry, as well as other ancillary personnel in James's armies. Such estimates are similar to fifteenth-century statistics for European military retinues.

diet dominated by such grains as wheat, millet, and barley which were eaten as bread, biscuits, or porridge.<sup>48</sup> Engels's daily ration estimates for Alexander the Great's army—two-and-a-half pounds of grain and two quarts of water per man; twenty eight pounds of fodder and eight gallons of water per horse—will serve as a general guide for the nutritional needs of James's forces and animals.<sup>49</sup> The Conqueror's initial action in providing provender for his men was the simple arrangement of ordering them to bring enough food to maintain them for a specified time. This contrivance and the way the town and noble forces were raised in the first place laid out the shape of the royal camp which was constituted by distinct military companies which shared a clusters of tents and hearths.<sup>50</sup> As the campaign lengthened and the stores of food brought by the troops dwindled, the camp increasingly turned to the king as its daily provider. To this point, the royal court was fed through the activities of its own members. The royal steward (*reposter*) and at times even the kitchen staff, including the wine steward (*botellario*) or cook (*coquinario*), were responsible for keeping the royal larder filled at all times. This process was complicated by the mere presence of the royal army which, like armies even to this day, drove up prices of necessary commodities in the areas in which it operated.<sup>51</sup> In reality, however, the supply problem of the king's courtly company was comparable with that of any great lord or town militia unit. Only when his army's term of self-maintenance had expired did the king have to broadly focus on the problem of supply or, in reality, resupply.

James's duty to maintain the men who followed his banners as soldiers was entwined with the centuries-old customary laws of his

<sup>48</sup> For diet of medieval Crown of Aragon and travel victuals, see Manuel Gómez de Valenzuela, *La vida cotidiana en Aragón durante la alta edad media* (Zaragoza, 1980), 180–3; José Balari Jovany, *Orígenes históricos de Cataluña* 2 vols. (1899; Abadía de San Cugat de Valles, 1964), 2:628; Norbert Ohler, *The Medieval Traveller* (London, 1989), 30–1.

<sup>49</sup> Donald W. Engels, *Alexander the Great and the Logistics of the Macedonian Army* (Berkeley, 1978), 123–8. Engels uses figures from the U. S. Army Quartermaster Corps to make his estimates.

<sup>50</sup> Powers, 117, 150–1; *History of Private Life* 2:18; *LF*, chap. 67, p. 39. James was not an infrequent guest at the meals of the nobility in his camp.

<sup>51</sup> ACA, Cancillería real, R. 14, f. 89; Miret y Sans, 386; Lope Pascual Martínez, "Los oficios en la corte de Jaime I," *X CHCA, Comunicaciones*, 1–2:500–1, 512–3. For prices and purchasing power of James' Crown of Aragon, see Soldevila, *Pere el Gran*, 2:doc. 4, p. 428 and Robert Ignatius Burns, *The Crusader Kingdom of Valencia. Reconstruction on a Thirteenth-Century Frontier* 2 vols. (Cambridge, MA, 1967), I:xiii.



lands and was bolstered in the feudal pacts that tied him to individual lords and townsmen in his host. This obligation, a common feature of feudal relations in contemporary Europe, was clearly reflected in the king's pledge to vassals of barons killed in the last phases of the Valencian campaign: "If any of you happen to lose a horse or anything else, I will make it good and will supply your needs fully."<sup>52</sup> To carry out such pledges, the king had the option of addressing the supply problem at the same time he summoned the army. As he had solicited cash to support his military endeavors, so he strongly urged the grants of wheat, livestock, wine, and other stores from his clergy and townsmen for the same purpose.<sup>53</sup> Though many of the same commodities had to be purchased, the king attempted to reserve his ready cash to buy horses,<sup>54</sup> heavy artillery,<sup>55</sup> tents, and armor.<sup>56</sup> A final source of provender and equipment was available to the king not from his own people but from the enemy. The confiscation of standing crops and the capture of *matériel* stored in Muslim fortresses supplemented James's supply efforts on the domestic front to such an extent that more than one campaigning season ran out before necessary staples did.<sup>57</sup>

<sup>52</sup> *Usatges*, trans. Kagay, art. 30, p. 72; *LF*, chap. 68, p. 40. *Et si negun perd cavall ni nenguna altra cosa, nós la us esmenarem e us farem vostras obs complidamente.*

<sup>53</sup> *ACA*, *Cancilleria real*, R. 23, f. 56v; *LF*, chaps. 88, 407, pp. 49, 149; *DJ*, 1:doc. 123, p. 229. The large numbers of livestock requested reflect the diminutive size of Spanish sheep and cattle. For discussion of meat yield of Iberian cattle and sheep in the early modern period, see Braudel, 1:240.

<sup>54</sup> *LF*, chaps. 60, 220, pp. 35, 94. James clearly saw the strategic importance of horses to ultimate victory, reminding his retainers in the Majorcan expedition that one horse "was worth more then twenty Saracens." He was thus not reluctant to spend sixty thousand sous in the Valencian campaign to obtain forty-six good mounts.

<sup>55</sup> *LF*, chaps. 15, 29, 40, 69, 129, 156, 157, 172, 209, 261, 460, pp. 9, 17-8, 24, 40, 63, 73, 78-9, 87-8, 107-8, 163. James was repeatedly spending large sums to have several types of artillery constructed until the first phases of the Valencian crusade when machines used against one fortress were stored and then brought to bear against other Muslim strongholds. For similar maintenance for reuse of war machines in Louis IX's campaigns, see Marinus Sanutus, *Liber Secretorum Fidelium Crucis Super Terrae Sanctae Recuperatione et Conservatione*, (1641; Toronto, 1976), chaps. 21-2, pp. 77-9; Jean de Joinville, *The Life of Saint Louis in Chronicles of Crusades* trans. Margaret R. B. Shaw (Baltimore, 1967), chap. 10, p. 256. For the regular warehousing and delivery of artillery during the Hundred Years War, see *Society At War. The Experience of England and France during the Hundred Years War*, ed. C. T. Allmand (Edinburgh, 1973), 66-9.

<sup>56</sup> *CDACA*, 5:83-5.

<sup>57</sup> *LF*, chaps. 51, 121, 128, pp. 30, 61, 63. James's troops profited from caches of supplies inside Muslim castles but also from Muslim defectors who helped get food and water to the Christian army.

While James generally considered the problem of supply before his army took the field, none of his logistical efforts were of the same proportions as those of Louis IX who formed a veritable entrepot on Cyprus in support of his first crusade of 1249–50.<sup>58</sup> Though James clearly did stockpile supplies before his major campaigns, such warehousing of provisions was not the norm. Instead, campaigns often outlasted provender, forcing James to rely on his barons for the procurement and transport of stores. After a major provisioning breakdown in 1237 in the operations above Valencia put the troops in “great distress”, the king was forced to scour his lands and even confiscate cargoes bound for his Majorcan garrisons.<sup>59</sup> To avoid such crises which endangered an entire army, James in the second half of his reign utilized his officials to gather supplies and get them to his troops. Utilizing his stewards and bailiffs in this role, the king eventually took the step of appointing a quartermaster or *mustaqaf* for his army whose provisioning duties lasted as long as the campaign did.<sup>60</sup> Despite such improvements, a number of factors including the length of sieges or greater response to army summonses than expected could force the king back to crisis provisioning in which he had to confiscate, beg, or borrow stores from his merchants or town councils.<sup>61</sup>

The final element of the logistical equation posed by James’s armies was that of supply transport. With the long and fairly regular coastline of his own lands and those which he conquered, movement of stores by sea was preferred by the king. Barcelona and the other Catalan ports had large merchant fleets which could be converted to

<sup>58</sup> William Chester Jordan, *Louis IX and the Challenge of the Crusade. A Study in Rulership* (Princeton, 1979), 76–7; Fred Cazel, Jr., “Financing the Crusades,” *History of the Crusades*, ed. Kenneth Setton, 6 vols. (Madison, Wisc., 1962–9), 6:117–8, 147; John W. Baldwin, *The Government of Philip Augustus. Foundations of Royal Power in the Middle Ages* (Berkeley, 1986), 166–7, 277–84. Joinville describes the great mountains of grain and barrels of wine stockpiled on Cyprus to support the crusade as the end result of a two-year administrative effort on the part of the French officials. In comparison, James seemed to have formally stockpiled supplies before the muster date of his army in the Peñíscola campaign (1225); Majorca (1228), Murcia (1266–7), and the Holy Land Crusade (1269).

<sup>59</sup> *LF*, chaps. 212–6, pp. 91–2.

<sup>60</sup> *LF*, chaps. 71, 220, pp. 41–2, 94; ACA, Cancillería real, R. 13, f. 286v; Miret y Sans, 382; Bisson, “Finanzas,” 2:doc. 94, p. 108. For development of the office of *mustaqaf*, see Luis García de Valdeavellano y Arcimus, *Curso de historia de las instituciones españolas de los orígenes al final de la edad media* (Madrid, 1968), 546, 552; Francisco Sevillano Colom, *Valencia urbana medieval a través del oficio de Mustaqaf* (Valencia, 1957), 15–31.

<sup>61</sup> ACA, Cancillería real, R. 23, f. 54; *LF*, chap. 409, p. 150; Miret y Sans, 533–4.

war duty as they were in the Majorca and Valencia expeditions. Italian ships were also available for use as in the 1269 crusade.<sup>62</sup> The vessels the Conqueror utilized as transports were the galley (*tauride*), round ship (*cog*), and barque (*lley*). Though rigged differently, the first two types, weighing up to four hundred tons, could carry as cargo up to thirty knights, their horses, equipment, and attendants. At least one of the large artillery pieces in a disassembled state and all its shot could be conveyed to the battle zone in even the smallest of these ships, the barque. Shipowners allowed the use of their vessels for the duration of king's wars in exchange for a specified booty share or leased the vessels for a contracted period and fee.<sup>63</sup> In either case, sea transport proved the most cost-effective means of moving large amounts of crucial supplies into secure harbors near the war frontier or even up rivers close to enemy-held hinterland. At its most successful, such sea links not only supplied James's army but opened commercial opportunities for foreign and domestic merchants. Thus entrepôts appeared at Burriana in 1233 and near Valencia in 1237–8 where "one could sell or buy . . . everything as in a city."<sup>64</sup> However, the sea which provided such munificence could also conspire against James's war plans. On more than one occasion in the late fall or winter, the king saw the naval lifeline between home ports and army shattered "by the force of the weather."<sup>65</sup>

Marine transport, despite its advantages, was inapplicable in a good many of the Conqueror's expeditions which were essentially landlocked. Though the remnants of Roman roads ran along the Catalan-Valencian coast and into the Aragonese interior, the path of war often led the king away from these thoroughfares as well as the new overland routes which had developed since the Islamic conquests.<sup>66</sup>

<sup>62</sup> *LF*, chaps. 54, 130, pp. 31, 63; *ACA*, *Pergaminos de Jaime I*, no. 1975; Miret y Sans, 347–8, 424; *Consulate of the Sea and Related Documents*, trans. Stanley S. Jados (University, Alabama, 1975), chap. 298, p. 233.

<sup>63</sup> *ACA*, *Cancilleria real*, R. 20, f. 296; *LF*, chaps. 55, 104, pp. 32, 55; Archibald R. Lewis and Timothy J. Runyan, *European Naval and Maritime History, 300–1500* (Bloomington, IN, 1985), 70–5; Santamaria, 124. This lease varied between 30,000 *sous* and 36,000 *sous* between 1233 to 1269.

<sup>64</sup> *LF*, chaps. 165, 189, 192, 265, pp. 75–6, 83, 84, 109. For cost of such water transport in early medieval period, see Albert C. Leighton, *Transport & Communication in Early Medieval Europe, A.D. 500–1000* (Newton Abbot, 1972), 162–4. *tota cosa que hom volgués a vendre e a comprar així com faria en una ciutat.*

<sup>65</sup> *LF*, chaps. 104, 483–9, pp. 55, 168–70; Ohler, 11. *per forca de temps.*

<sup>66</sup> Shneidman, 1:369–70; Raymond D. Chevallier, *Roman Roads*, trans. N. H. Field (London, 1976), 157; Marjorie Nice Boyer, "A Day's Journey in Medieval France," *Speculum* 26 (1951): 604–6; Leighton, 53–7; Ohler, 7–9.

Since wheeled traffic was practically non-existent in the Iberian Peninsula from Visigothic times onward, James and all Spanish societies relied on pack animals (*bestias, atzembblas*) to move supplies.<sup>67</sup> Though horses could serve this function, mules were much better suited to rough terrain and required less nourishment and water. So important was the lowly mule and his driver, the muleteer or *arriero*, that James repeatedly put them both under his "special protection" to insure the flow of goods in his realms.<sup>68</sup> Able to travel twenty-five miles a day bearing loads exceeding two-hundred pounds, mules have been essential to wartime transport since ancient times.<sup>69</sup> In Spain, the military pack train made army operations possible in the mountainous and trackless wastes of the Peninsula throughout the medieval period down to the Civil War of this century.<sup>70</sup>

In James's war effort, mule transport was of fundamental importance but, like the procurement of supplies, was not always planned for well ahead of time and so had to be arranged in the midst of a crisis posed by growing shortages of food for the troops. Though large numbers of mules had been employed to bring in the first wave of the army's supplies, many of the muleteers who had delivered their shipments for the town militia units returned home, possibly seeking other consignments on the way back to their homes.<sup>71</sup> When the supply problems of his army reached critical levels, the king, either in person or through his officials, combed his lands nearest the war zone for food and mules to carry it. Though sometimes hired, the pack animals and the service of their drivers were either granted by urban centers and clerical institutions or simply requisitioned by the Crown.<sup>72</sup> The amount of supplies needed and the requisite number of animals necessary to carry them was roughly estimated from lists of necessities provided the king from all the units

<sup>67</sup> Richard W. Bulliet, *The Camel and the Wheel* (Cambridge MA, 1975), 230.

<sup>68</sup> *DJ*, 1:doc. 18, p. 53; Albert C. Leighton, "The Mule as Cultural Invention," *Technology and Culture* 8 (1967): 51; Thomas Savery, "The Mule," *Scientific American* 223 (1970): 104.

<sup>69</sup> Engels, 14-7; Savery, 107; J. L. Allhands, *The Mule*, (Los Angeles, 1965), 13-4.

<sup>70</sup> Richard Ford, *A Hand-Book for Travellers in Spain and Readers at Home* 3 vols. (1845; Carbondale, Ill. 1966), 1:70-3; Braudel, 1:189, 284-5; David Gates, *A History of the Peninsular War* (London, 1986), 30-1.

<sup>71</sup> *LF*, chap. 166, p. 76; Powers, 151.

<sup>72</sup> *LF*, chap. 219, pp. 93-4; Miret y Sans, 482; *CDACA* 4:11-2. The muleteers mentioned in Peter IV's *Ordinances* who supplied the royal court were paid a set rate for each mule needed. The *arriero* had a deadline for delivery and if he failed to meet it, he lost a portion of his fee.

of his army.<sup>73</sup> James, a master of all other aspects of war, claimed some expertise in readying pack trains for the trip to the army. Bulk stores such as wheat, barley, and wine were loaded in saddlebags, while more perishable commodities such as fruit and vegetables made the trip in bags which were draped across the mule's back and then cinched to the lower shipment. Though the ride was a rough one, the loads, if properly balanced and fastened, were surprisingly stable as James was to marvel when bunches of grapes riding on top of other bulk stores came to him in the field little worse for wear. When troops accompanied such relief trains, their armor and shields were fastened over the backs of the mules but the Conqueror insisted that each of his knights carry their own weapons.<sup>74</sup> In longer expeditions in which several thousand men were involved at any one time, pack trains of up to two-thousand mules, bearing as much as four-hundred thousand pounds of *matériel* were not unheard of.<sup>75</sup>

In the early years of his reign, James I told his quarrelsome Aragonese barony that "war . . . was a thing which grieved . . . [him] the most."<sup>76</sup> After a lifetime dominated by war, such a claim would have rung hollow, especially to those who had to pay for such conflicts. With the last of his great triumphs against Játiva and Biar in 1244–5, the allure of fabulous Muslim booty could no longer be used as a selling point for the military support of his realms. War was increasingly seen as an onerous and expensive duty to be evaded if possible. At the very time that the king most came to rely on individual, corporate, and parliamentary subsidies to finance his martial enterprises, his people proved the most reluctant to make contributions in support of his armies. Even though James insisted that all his subjects had to help him when danger threatened the realm, his townsmen, conscripted for one war grant after another, had little interest in sponsoring the king's later conflicts and were often only frightened into financial compliance by a royal ire which threatened to punish them as enemies of the Crown.<sup>77</sup> As even these sources of

<sup>73</sup> *LF*, chap. 201, p. 88.

<sup>74</sup> *Ibid.*, chap. 454, p. 161. For mule loading and driving, see Ford, 1:71; Savery, 104.

<sup>75</sup> *LF*, chap. 219, p. 93. For formula of how many animals were needed to support pre-modern armies, see Engels, 21–2.

<sup>76</sup> *LF*, chap. 31, p. 19. *guerra . . . que açò és cosa que ens pesa molt.*

<sup>77</sup> Francesc Carreras i Candi, "Rebelió de noblesa catalan contra Jaume I en 1259," *BRABLB* 47 (1912):doc. 55, pp. 535–6; Kagay, "Structures," 64.

funding became less and less viable, the more efficient administration of taxation did not always pay the war bills. Officials and barons, once the recipients of a largesse founded on the king's martial success, were forced to provide their own funds or render services without any reimbursement except a royal *albaranum*. Though all of these debts seemed to have been repaid by the Crown, such reimbursement could take up to a decade.<sup>78</sup> Even in the campaigns that proved the most successful, James was met with mounting feelings of doubt and dismay about the cost of his wars. In both Majorcan and Valencian campaigns, the staunchest financial supporters of his predecessors—the Templars and great bishops—counselled military caution for fear the king would “make a great outlay in vain.”<sup>79</sup> This fear was founded on the worrisome fact that James had “no treasury . . . no great revenue and . . . no bread anywhere in the world but . . . [was] embarrassed financially in going about his land.”<sup>80</sup> To many segments of society in the Crown of Aragon, then, a warrior king was a dangerously-insolvent king whose incessant need for cash posed a threat to his people as dangerous as the ravages of a foreign invader. Their response to James's long line of wars and the strains they imposed were ever bit as perilous. In Aragon, disgruntled barons and townsmen, bound together on oath in a *Union*, imposed far-reaching political restrictions on the Crown in the *Fueros of Exea* of 1265.<sup>81</sup> Resentment at being called on to fund or fight in conflicts outside their boundaries flared not only among the Aragonese but also among the Catalans. In the last years of his life, James witnessed a steady erosion of military support among the Catalan barony who preferred being legally charged with dereliction of duty to fighting profitless wars outside the Principality.<sup>82</sup> The growing dissat-

<sup>78</sup> ACA, Cancillería real, R. 14, ff. 80, 91r–v, 110, 114, 119; R. 16, f. 200; R. 19, f. 93; R. 20, f. 350v; Pergaminos de Jaime I, no. 1899.

<sup>79</sup> LF, chap. 233, p. 99; Urbieto Arteta, 150–1, *feyets en bades*. Besides the fear of loss of everything spent on his Valencian crusade, barons like Blasco de Alagon flatly insisted that the king “did not have the wealth to carry out such an enterprise”.

<sup>80</sup> Ibid., chap. 180, p. 81. *que vós non havets tresaur, ni vos no havets gran renda ni no havets pa en lloc del món ans sots embargat de viure anant per vostra terra*. The problem of having no formal treasury was also admitted by James's son Peter III who claimed that “neither we nor any of our predecessors have never formed nor had a treasury” [Soldevila, *Pere el Gran*, 1:93, n. 37].

<sup>81</sup> Kagay, “Structures,” 66–9; J. N. Hillgarth, *The Problem of a Catalan Mediterranean Empire*, 1229–1327, *EHR*, supplement 8, p. 22.

<sup>82</sup> ACA, Pergaminos de Jaime I, nos. 2146, 2186; Miret y Sans, 478–9, 496–7;

isfaction with the expensive demands of royal war resounded perhaps the loudest in James's parliaments which emerged as the principal funding agencies for such conflicts even before the Conqueror had died in 1276. More than one of these assemblies pitted a sovereign desperate for military funding against a band of clerics, nobles and townsmen, just as desperate not to pledge such large sums. After one such interchange in 1264, James stormed from an Aragonese *Cortes* "as displeased as any lord ever was with his men".<sup>83</sup> The parliament, then, seems a corporate reflection of a general discontent with James's later wars which were viewed as profitless by those called on to support them.<sup>84</sup>

As a warrior, James I marked out a logistical and administrative road which was followed to its ultimate destination by Peter IV who sent armies into the cockpit of international rivalries against such foes as Castile, Portugal, Navarre, Granada, and England.<sup>85</sup> The sheer volume of his military demands caused rebellions in all his realms but, of equal importance, overwhelmed the logistical techniques he had inherited from the Conqueror and made complete his reliance

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*Los Usatges de Barcelona y els Commemoracions de Pere Albert*, ed. J. Rovira i Ermengol (Barcelona, 1933), 183-4. Ramon de Cardona and other Catalan barons increasingly refused to serve James outside Catalonia. The king claimed "their predecessors were accustomed [to serve] our ancestors in Ubeda, Almeria, Provence, and with us in Navarre, Majorca, Valencia, Murcia, and in many other places." On the king's legists, Pere Albert, took up the charged question in his "Commentaries" on the *Usatges of Barcelona*. He concluded that any lord could call on his vassals to wage war in "far places". All subjects of the kingdom, he concluded, had to assist in such expeditions because of the "general jurisdiction" the ruler held over the ruled.

<sup>83</sup> *LF*, chap. 384, p. 143. *part-me de vos despegat així com negun senyor pot esser despegat de sos hòmens*.

<sup>84</sup> *Ibid.*, chaps. 492-3, p. 171. The attitude of James's subjects towards his later wars is clearly shown in his aborted Holy Land crusade of 1269. After much of his fleet was destroyed, the king was driven to land at Montpellier. Though the town had earlier refused to support the crusade, its council quickly offered a substantial grant, provided James would immediately continue his journey to the Holy Land, from where demands for further funding would be much more difficult to make. James was incensed at this "most novel response" (*la pus nova resposta*), which sought to have him "go to another land where [he] could be killed or taken prisoner". He dressed down the Montpellier citizens, saying that his Catalan and Aragonese subjects would never treat him in this heartless and treasonous way. In fact, Montpellier was not unique in its hesitancy at supporting wars which never seemed to end. The entire Crown of Aragon followed this conservative strategy of granting only conditional aid during the Conqueror's later years.

<sup>85</sup> Pere III of Catalonia, *Chronicle*, trans. Mary Hillgarth, 2 vols. (Toronto, 1986), prologue, 4, 1:129; Manuel Riu, "L'arquitectura militar i l'urbanisme a l'època de Pere el Cerimoniós, 1336-1387," *Pere el Cerimoniós i la seva època*, ed. Maria Teresa Ferrer i Mallol and Salvador Claramunt (Barcelona, 1984), 193.

on the *Cortes* to support his armies. When the parliaments of the Crown of Aragon, one by one, opted for self-interest by putting up war funding only for defense of its particular realm, even the possibility of the region's expansion dimmed and its long decline was in the offing. The means of making, funding, and supplying war remained with the Crown and its officials; the final component of war in any age—the will of the people called on to wage it—now began to seriously flag and no logistical system could overcome that.<sup>86</sup>

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<sup>86</sup> José Luis Martín Rodríguez, "Las Cortes de Pedro el Ceremonioso," *Pere el Cerimoniós*, 99–111.



*Appendix: Wars of James I*

- 1219–20 War with Rodrigo de Lizana and Pedro Fernandez de Azagra
- 1222–4 War with the party of the *Infante* Fernando
- 1225–6 Campaign against Muslim
- 1226–7 War with Aragonese barons and cities
- 1228 War with Guerau de Cabrera and Ramon Folç IV de Cardona
- 1229–32 Campaigns against Muslim Balearics
- 1230–5 War with Ponç de Cabrera and Count Roger Bernat de Foix
- 1232–8 Campaigns against Muslim Valencia
- 1243–4 Campaign against Muslim Jativa and Biar
- 1247–8 War with Al-Azraq
- 1251–2 War with Ramon Folç IV de Cardona and Ramon I de Cardona
- 1259–62 War with Ramon Folç IV de Cardona and Alvar I de Cabrera
- 1264–6 War with majority of Aragonese barons
- 1265–6 Campaign against Muslim Murcia
- 1267 War with Ferriz de Lizana
- 1268–9 War with Roger Bernat III of Foix and Ramon Folç IV de Cardona
- 1269 Aborted Holy Land Crusade
- 1272–5 War with *infantes* Ferran Sanchez de Castro and Peter, Ramon Bernat III de Foix, Hug IV de Empuries
- 1276 War to suppress revolt of Valencian Muslims



## KINGS AND LORDS IN CONFLICT IN LATE THIRTEENTH-CENTURY CASTILE AND ARAGON

*Joseph F. O'Callaghan*

In the second half of the thirteenth century the kings of Castile and Aragon were confronted by serious challenges from the estates of the realm, especially the nobility. In many respects this was the consequence of innovations being introduced into the idea of kingship throughout the course of the century. The new conception of monarchy moved away from earlier feudal ideas, based on personal bonds linking the king as lord to his vassals. Instead there was a growing awareness that the king was an agent responsible for maintaining the well-being of the *res publica*, that abstraction known as the state, and that he could call upon the three estates of the realm, the prelates, nobles, and townspeople to collaborate with him for the common good.<sup>1</sup>

I wish to consider these questions during the late thirteenth century, a period that largely coincides with the reigns of Alfonso X of Castile (1252–1284) and his Aragonese contemporaries James I (1213–1276) and Peter III (1276–1285). James I, known to history as the *Conqueror*, is celebrated above all as a warrior king, but, as Burns has pointed out, there was much more to his psychological and intellectual makeup than just those virtues suitable to a battlefield commander.<sup>2</sup> His son-in-law, Alfonso X, known as the Wise or the Learned, had the advantage in terms of education and enjoyed surrounding himself with poets, scholars, and intellectuals. Whereas James I, orphaned at five years of age, had to learn about kingship while on the job, Alfonso X, thirteen years his junior, served a long apprenticeship

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<sup>1</sup> Walter Ullmann, *Principles of Government and Politics in the Middle Ages* (New York, 1966); Ernst Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, 1957); José Nieto Soria, *Fundamentos ideológicos del poder real en Castilla (siglos XIII–XVI)* (Madrid, 1988).

<sup>2</sup> Robert I. Burns, "The Spiritual Life of James the Conqueror, King of Arago-Catalonia, 1208–1276," *CHR* 42 (1976): 1–35; also in his *Moors and Crusaders in Mediterranean Spain* (London, 1978), no. 1. See also his "Castle of Intellect, Castle of Force: The Worlds of Alfonso the Learned and James the Conqueror," in *The Worlds of Alfonso the Learned and James the Conqueror: Intellect and Force in the Middle Ages*, ed. Robert I. Burns (Princeton, 1985), 3–22.

under his father, Fernando III, before assuming the crown at the age of thirty-two.<sup>3</sup> Both kings prided themselves on a knowledge of the laws of their respective realms, and were quite ready to argue points of law with any challengers. Pedro III called the Great, is best known for the Sicilian Vespers, but his intervention there gave the Aragonese nobles the opportunity to resurrect the challenge earlier directed to his father.<sup>4</sup>

Each of the three kings had to contend with a factious nobility. The details of the struggles that occurred almost simultaneously in both kingdoms are well known, but no serious attempt has been made to compare them or to ask whether the nobility in Castile and Aragon were influenced by one another. My expectation is that by exploring the conflict between the kings and lords in both kingdoms our understanding of constitutional development and the interchange of ideas will be enhanced.<sup>5</sup>

### *Innovations in the Law*

One of the principal reasons for contention between the monarchy and the nobility was the introduction of new ideas and forms of law derived mainly from Roman law. As is well known, the study of Justinian's *Code* and of such ancillary books as the *Digest* and the *Institutes* was well under way in twelfth-century Italy and its impact in the Iberian peninsula began to be felt toward the end of that century.<sup>6</sup> Legists trained in Roman law (oftentimes Italian in origin),

<sup>3</sup> Joseph F. O'Callaghan, *The Learned King: The Reign of Alfonso X of Castile*, (Philadelphia, 1993); Evelyn Procter, *Alfonso X of Castile: Patron of Literature and Learning* (Oxford, 1951); John E. Keller, *Alfonso X el Sabio* (New York, 1967); *Emperor of Culture: Alfonso X the Learned of Castile and his Thirteenth-Century Renaissance*, ed. Robert I. Burns, Philadelphia, 1990.

<sup>4</sup> Ferran Soldevila, *Pere el Gran*, 4 vols. (Barcelona, 1950–1962); Steven Runciman, *The Sicilian Vespers: A History of the Mediterranean World in the Later Thirteenth Century* (Cambridge, 1958); J. N. Hillgarth, *The Problem of a Catalan Mediterranean Empire, 1229–1327*, *EHR*, supplement 8.

<sup>5</sup> Antonio Ballesteros, *Alfonso X* (1963; Barcelona, 1984); Robert A. MacDonald, "Law and Politics: Alfonso's Program of Political Reform," in *Worlds*, 150–202; Joseph F. O'Callaghan, "Image and Reality: The King Creates his Kingdom," in *Emperor of Culture*, 14–32; Thomas N. Bisson, *The Medieval Crown of Aragon: A Short History* (Oxford, 1986), 58–94; J. N. Hillgarth, *The Spanish Kingdoms, 1250–1516*, 2 vols. (Cambridge, 1976–1978), 1:233–336.

<sup>6</sup> José María Font Rius, "La recepción del derecho romano en la península ibérica durante la edad media," *Recueil des mémoires et travaux publiés par la Société du Droit et*

and canonists found a receptive atmosphere in the royal courts of the peninsula.<sup>7</sup> In the thirteenth century Roman and canon law were established as subjects of study at the University of Montpellier and also at the Universities of Palencia and Salamanca. Spanish jurists also taught at Bologna, the seat of Roman jurisprudence par excellence.<sup>8</sup> Italian scholars such as Maestre Jacobo de las Leyes (Bona- giunta) served Fernando III and Alfonso X.<sup>9</sup> The jurist, Vidal de Canyelles, educated at Bologna, was among the principal counsellors of James I, as were the canonists Pere Albert and Ramon de Penya- fort.<sup>10</sup> As a consequence of the presence of these scholars, innovation in the administration of justice and indeed in the substance of the law was inevitable.

In all the peninsular Christian states a tendency toward the development of a territorial law common to the entire realm began to be manifest, but it often ran head on into local and regional custom. The *Fueros* of Cuenca and of Teruel, granted respectively by Alfonso VIII of Castile (1158–1214) and Alfonso II of Aragon (1162–1196), not only represented the fullest development of municipal law, but were also later extended to many towns in Upper Andalusia (Cuenca) and Lower Aragon (Teruel).<sup>11</sup> In like manner Fernando III of Castile (1217–1252) encouraged juridical uniformity in lower Andalusia and

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*des Institutions es anciens pays de droit écrit* 6 (1967): 85–104; Antonio García y García, "En torno al derecho romano en la España medieval," *Estudios en Homenaje a Don Claudio Sánchez Albornoz*, (CHE, Anejos), 3:59–72.

<sup>7</sup> In the twelfth century Pere de Cardona, a Catalan jurist, taught at Montpellier and later served as chancellor of Castile before being made a cardinal by Pope Alexander III. Magister Geraldus Lombardus, Magister Lanfrancus, and Magister Michael *legum doctor* were among the Italian scholars serving Alfonso VIII. Ferran Valls Taberner, "Le juriste catalan Pierre de Cardona," *Mélanges Paul Fournier* (Paris, 1929), 743–46; Joseph F. O'Callaghan, "The Beginnings of the Cortes of Leon-Castile," *AHR* 74 (1969): 1509, n. 26.

<sup>8</sup> C. M. Ajo y Sáinz de Zuñiga, *Historia de las universidades hispánicas*, 11 vols. (Madrid, 1957–1979), 1:195–201, 435–461; Antonio García y García, *Laurentius Hispanus: Datos biográficos y estudio crítico de sus obras* (Rome, 1956); Javier Ochoa Sanz, *Vincentius Hispanus: canonista bolones del siglo XIII* (Rome, 1960).

<sup>9</sup> *Obras del Maestro Jacobo de las leyes*, ed. Rafael de Ureña and A. Bonilla San Martín (Madrid, 1924).

<sup>10</sup> Antonio Duran Gudiol, "Vidal de Canellas, Obispo de Huesca," *EEMCA* 9 (1973): 267–307; Ricardo del Arco, "El jurisperito Vidal de Canellas, Obispo de Huesca," *Cuadernos de Historia Jerónimo Zurita* 1 (1951): 23–113; Francesc Alabart Ferre, "Inconites biografiques del jurisconsult de Jaume I, Vidal de Canyelles," *X CHCA, Comunicaciones* 1 y 2, 151–60.

<sup>11</sup> Rafael Ureña y Smenjaud, ed., *Fuero de Cuenca* (Madrid, 1935); Max Gorosch, ed. *Fuero de Teruel*, (Stockholm, 1950); Rafael Gibert, *Historia general del derecho español* (Granada, 1968), 74–9.

the kingdom of Murcia by granting the *Fuero Juzgo*, a Castilian version of the old Visigothic Code, to Cordoba, Seville, Murcia, and other towns.<sup>12</sup>

Ever since the eleventh century the Catalans had enjoyed their own written collection of customs known as the *Usatges of Barcelona*. After the conquest of Mallorca, the *Usatges* were introduced there as the fundamental law.<sup>13</sup> The Catalan reaction against the influence of Roman law and the possibility of its introduction into the principality prompted James I in 1251 to affirm the continued validity of the *Usatges of Barcelona* and to ban the use of Roman and canon Law in secular courts. Legists or canonists were forbidden to serve as advocates except in their own suits.<sup>14</sup>

James I was more easily able to create a territorial law based primarily on Roman law in the newly conquered kingdom of Valencia. With the collaboration of bishop Vidal of Huesca and others a collection of the *consuetudines* or customs of the city and the kingdom was compiled around 1240. No other customs were to be applied there, but where the customs were silent, judges were permitted to proceed according to natural reason and equity. For the most part the collection (divided into 154 chapters) was based on Justinian's *Code*, the *Digest*, and the *Decretals*.<sup>15</sup> In 1271 the king revised the code, now known as the *Fori regni Valentie*; it was later translated into Catalan and organized in nine books under the title, *Furs de Valencia*.<sup>16</sup>

With the intention of creating a common law in Aragon proper, James I appointed Vidal de Canyelles, bishop of Huesca, to codify the *fueros* of the realm. In phrases reminiscent of the prologue to Justinian's *Code*, the king remarked that just as he had provided for war, so, now that his conquests from the Saracens were complete, he intended to provide for times of peace. In a *curia generalis* held at

<sup>12</sup> Real Academia de la Historia, ed., *Fuero Juzgo en latin y castellano* (Madrid, 1815); Julio Gonzalez, *Reinado y diplomas de Fernando III*, 3 vols. (Cordoba, 1980–1986), 1:413–7.

<sup>13</sup> Ramon d'Abadal and Ferran Soldevila, eds., *Los Usatges de Barcelona* (Barcelona, 1913); Joan Bastardas, ed., *Usatges de Barcelona* (Barcelona, 1984); Donald J. Kagay, trans., *The Usatges of Barcelona. The Fundamental Law of Catalonia* (Philadelphia, 1994).

<sup>14</sup> *CAVC*, 1:arts. 3–4, p. 138.

<sup>15</sup> Manuel Dualde Serrano, ed., *Fori antiqui Valentiae* (Madrid-Valencia, 1950–1967), prologue, pp. 2–4; Ana María Barrero, "El derecho romano en los 'Furs' de Valencia de Jaime I," *AHDE* 41 (1971): 639–64.

<sup>16</sup> Germà Colón and Arcadi García, eds., *Furs de Valencia*, 4 vols. to date (Barcelona 1970–).

Huesca in January 1247, the *fueros* were read, and with the counsel of various members of the royal court, "and many knights and *infanzones* and procurators sent by the citizens of the cities and villages" (*et pluribus militibus et infantionibus et proceribus et civibus civitatum et villarum pro suis conciliis destinatis*), the king corrected, amplified, and supplemented the traditional law of Aragon, removing all that was superfluous or outdated. The text, organized in eight books and titles under the inspiration of Justinian's *Code*, was written in Latin, but a romance version was soon forthcoming.<sup>17</sup> A copy of the *Fueros* or *Code of Huesca* was sent to all judges who were ordered to use it alone in their judgements, and failing the written text, to proceed according to natural reason. Bishop Vidal, who compiled the *Code of Huesca*, also wrote the first commentary on it, a Latin work entitled *In excelsis Dei thesauris* or *Liber in excelsis*, which was later translated into Aragonese.<sup>18</sup> This systematic arrangement of the traditional *fueros* of Aragon became the basis for the later and more elaborate collections known as the *Fueros de Aragon*. Despite the customary character of the *Code of Huesca*, the jurists who applied it often had recourse to principles derived from Roman and canon law. One should also note that local laws, such as the *Fueros* of Jaca, Albarracin, and Teruel continued in use.<sup>19</sup>

In Castile, Alfonso X, taking up his father's plans to achieve greater uniformity in the law, commissioned a body of jurists to compile two fundamental works.<sup>20</sup> The *Especulo*, a code intended for use in the

<sup>17</sup> Gunnar Tilander, ed., *Los Fueros de Aragon segun el manuscrito 458 de la Biblioteca Nacional de Madrid*, (Lund, 1937); José Luis Lacruz Berdejo, *Fueros de Aragón hasta 1265. Versión romance* (Zaragoza, 1947); José Luis Lacruz Berdejo and J. Bengua Camon, eds., *Fueros de Aragón. Versión contenida en el manuscrito 2078 de la Biblioteca universitaria de Zaragoza* (Zaragoza, 1953). The Latin text is dispersed throughout Pascual Savall y Dronda and Santiago Penén y Debesa, eds., *Fueros, Observancias y Actos de Corte del reino de Aragon*, 2 vols. (Zaragoza, 1866), 1:vii. Also see Jesús Lalinde Abadía, *Los Fueros de Aragon* (Zaragoza, 1976); Gonzalo Martínez Díez, "En torno a los fueros de Aragón de las cortes de Huesca de 1247," *AHDE* 50 (1980): 69-92.

<sup>18</sup> Gunnar Tilander, ed., *Vidal Mayor. Traducción aragonesa de la obra "In excelsis thesauris" de Vidal de Canellas*, 3 vols. (Lund, 1956), 2:7-9; Juan García Granero Fernández, "Vidal Mayor. Versión romanceada navarra de la *Mayor compilatio* de Vidal de Canellas," *AHDE* 50 (1980): 243-64.

<sup>19</sup> Around 1270 Martin Sagarra made the earliest compilation of the *Observantiae of Aragon*, that is, the subsequent judgements of royal justices. Luis Parral y Cristobal, ed., *Fueros, observancias, actos de corte, usos y costumbres con una reseña geografica e historica del reino de Aragon*, 2 vols. (Zaragoza, 1907).

<sup>20</sup> Alfonso García Gallo, *Manual de historia del derecho español*, 3d ed. 2 vols. (Madrid, 1967), 1:419-22; Gibert, 79-82.

royal court, is incomplete as we have it today; only five of a probable seven books are extant.<sup>21</sup> On the other hand, we have all four books of the *Fuero real*, a code of municipal law given to the towns of Castile and Extremadura.<sup>22</sup> Both codes were likely promulgated in the *Cortes* of Toledo in 1254. After Alfonso X's election as Holy Roman Emperor in 1257, he set his men to work revising the *Espéculo* to reflect his new status, and the end product of their work came to be known as the *Siete Partidas*. Divided into seven parts, each in turn subdivided into titles and laws, this was a comprehensive code touching every aspect of law. Inasmuch as Alfonso X reserved the right to revise the *Espéculo* when necessary, he does not seem to have thought himself obliged to promulgate the *Partidas*, an expanded version of the *Espéculo*.<sup>23</sup>

The *Partidas* reflected Roman law more closely than any of the other compilations mentioned, but the very fact of trying to record traditional custom was hazardous. It could be construed as an effort to limit, to eliminate, or to alter fundamentally the customs by which men had lived from time immemorial. Not surprisingly, the kings of Aragon and Castile found that their work of codification was not always received with enthusiasm.<sup>24</sup>

### *Innovations in Taxation*

The thirteenth-century also witnessed the development of extraordinary taxation to a greater extent than ever before, because of in-

<sup>21</sup> Robert MacDonald, ed., *Espéculo. Texto jurídico atribuido al Rey de Castilla Don Alfonso X el Sabio*, (Madison, 1990); Real Academia de la Historia, ed., *Espéculo de las leyes*, vol. 1 of *Opúsculos legales del Rey don Alfonso el Sabio*, 2 vols. (Madrid, 1836); Gonzalo Martínez Díez, ed., *Espéculo* (Avila, 1985).

<sup>22</sup> *Fuero real*, in *Opúsculos legales*, 2:1-169; Gonzalo Martínez Díez, José Manuel Ruiz Asencio, and C. Hernandez Alonso, eds., *Fuero real* (Avila, 1988).

<sup>23</sup> Robert A. MacDonald, "Law and Politics: Alfonso's Program of Political Reform," in *Worlds*, 150-202; Joseph F. O'Callaghan, "Sobre la promulgación del *Espéculo* y del *Fuero real*," *Estudios*, 3:167-79; Alfonso García Gallo, "Nuevas observaciones sobre la obra legislativa de Alfonso X," *AHDE* 46 (1976): 609-70; Aquilino Iglesia Ferreirós, "Alfonso X el Sabio y su obra legislativa. Algunas reflexiones," *AHDE* 50 (1980): 531-61; Jerry R. Craddock, "La cronología de las obras legislativas de Alfonso X el Sabio," *AHDE* 51 (1981): 364-418.

<sup>24</sup> Real Academia de la Historia, ed., *Las Siete Partidas*, 3 vols. (1801; Madrid, 1972); Juan Antonio Arias Bonet, ed., *Primera Partida según el manuscrito ADD. 20,787 del British Museum* (Valladolid, 1975); Jerry R. Craddock, *The Legislative Works of Alfonso el Sabio: A Critical Bibliography* (London, 1986); O'Callaghan, *The Learned King*, 32-7.



creasing needs as monarchies were transformed into more complex entities. Kings assumed many more responsibilities than in the past and surrounded themselves with larger numbers of professional administrators to assist them in their work. All of this required new sources of revenue.<sup>25</sup> The traditional sources, fixed as they were, were inadequate for the multiplicity of activities that kings now engaged in. But a king could not simply impose taxes arbitrarily; he had to ask consent, and in this way the *Cortes* came to play a significant role in both kingdoms.<sup>26</sup>

A prime source of revenue was the church. The papacy had shown the way when it began to tax the clergy in different countries in order to finance the crusades to the Holy Land. The Spanish kings soon discovered that the wealth of the church could be put to good use in their own realms. Both Fernando III and Alfonso X financed their wars against the Moors by taking the third of the tithe (the *tercias reales*) destined for the upkeep of churches. Despite the protests of churchmen and the admonitions of popes, they continued to do so for many years.<sup>27</sup> After the fall of Cordoba in 1236, Gregory IX authorized Fernando III to levy an annual tribute on the church in Castile-Leon for three years.<sup>28</sup> On the urging of Pope Innocent IV the bishops of the province of Tarragona in 1247 granted James I a twentieth of ecclesiastical revenues in Aragon, Catalonia, and Valencia to suppress the revolt of the Moors in Valencia.<sup>29</sup> The popes were more generous in offering participants in the wars of the reconquest the indulgence granted to those going on crusade to the Holy Land.<sup>30</sup>

<sup>25</sup> Miguel Angel Ladero Quesada, "Las transformaciones de la fiscalidad regia castellano-leonesa en la segunda mitad del siglo XIII (1252-1312)," *Historia de la hacienda española. Homenaje al Profesor García de Valdeavellano* (Madrid, 1982), 319-406, and idem, "Les cortes de Castille et la politique financière de la monarchie, 1252-1369," *Parliaments, Estates and Representation* 4 (1984): 107-24.

<sup>26</sup> Evelyn Procter, *Curia and Cortes in Leon and Castile, 1072-1295* (Cambridge, 1980); Joseph F. O'Callaghan, *The Cortes of Castile-Leon, 1188-1350* (Philadelphia, 1989); Luis González Antón, *Las cortes de Aragón*, (Zaragoza, 1978).

<sup>27</sup> Innocent IV authorized Fernando III to use the *tercias* for the reconquest. Elie Berger, ed., *Les registres de Innocent IV*, 4 vols. (Paris, 1884-1921), 3:no. 2538 (15 April 1247); Demetrio Mansilla y Reoyo, *Iglesia castellano-leonesa y curia romana en los tiempos del rey San Fernando* (Madrid, 1945), 50-9; Goñi Gaztambide, 153-4.

<sup>28</sup> *Les registres de Grégoire IX*, ed. Lucien Auvray, 2 vols. Paris, 1896-1901, 2:nos. 3313-3316 (4 September 1236); Goñi Gaztambide, 155-6.

<sup>29</sup> Fidel Fita y Colomé, "Concilios Tarraconenses en 1248, 1249, y 1250," *BRAH* 40 (1902): 446-7; *Innocent IV*, 3:no. 4309 (25 January 1249); Goñi Gaztambide, 184-5.

<sup>30</sup> Gregory IX granted the indulgence for Jaime I's crusades against the Balearic

In addition to tapping the resources of the church, peninsular monarchs levied a tax, known variously as *monedatge* or *moneda forera*, in return for a pledge not to alter the coinage.<sup>31</sup> In the *Cortes* of Benavente in 1202 Alfonso IX of Leon pledged to maintain his coinage intact for seven years in return for the sum of one *maravedí* from each person.<sup>32</sup> In response to James I's confirmation of the Aragonese coinage in perpetuity, the *Cortes* of Monzon in 1236 agreed that "every person living in a house worth the sum of ten gold pieces or more in the towns, villages and castles of our dominion shall be bound every seven years to give you and your heirs one *maravedí*."<sup>33</sup> Alfonso III of Portugal also received a similar tribute after he pledged not to alter the coinage in the *Cortes* of Leiria in 1254.<sup>34</sup> Although this tribute seems to have initially required consent, by the latter part of the century it appears to have become a customary tax levied every seven years.

The tribute that ultimately proved most useful in Castile was the *servicio*, a tax first levied on the prelates in 1255.<sup>35</sup> In the *Cortes* of Burgos in 1269 Alfonso X persuaded the nobles to agree to the imposition of this tax on their vassals, and he obtained the consent of

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Islands (12 February 1229) and Valencia (5 February 1237) and for Fernando III's wars against the Moors (4 September 1236); *Grégoire IX*, 3:nos. 3313-14, 3483. Innocent IV granted the indulgence to those who aided Infante Alfonso in his projected invasion of Morocco (24 April 1246), and renewed this after Alfonso's accession to the throne (10 January 1253); *Innocent IV*, 4:nos. 6212-13; Toribio Minguella, *Historia de la diócesis de Sigüenza y de sus obispos*, 3 vols. (Madrid, 1910-1913), 1:600-01; Goñi Gaztambide, 156-8, 161-6, 183, 187-8.

<sup>31</sup> Josiah Cox Russell, "The Medieval *Monedatge* of Aragon and Valencia," *Proceedings of the American Philosophical Society* 106 (1962): 483-514; Thomas Bisson, *Assemblies and Representation in Languedoc in the Thirteenth Century* (Princeton, 1964), 95, 127-28, 241, 312-4; idem, *Conservation of Coinage: Monetary Exploitation and its Restraint in France, Catalonia, and Aragon (A.D. 1000-c.1225)* (Oxford, 1979); idem, *Aragon*, 54-5.

<sup>32</sup> Julio González, *Alfonso IX*, 2 vols. (Madrid, 1945), 2:no. 167, p. 237; O'Callaghan, "Beginnings," 1518-9.

<sup>33</sup> *Colección diplomática de Jaime I*, ed. Ambrosio Huici y Miranda, 3 vols. (Valencia, 1916-1922), 2:no. 153, pp. 253-56; Jerónimo Zurita y Castro, *Anales de la Corona de Aragón*, ed. Angel Canellas López, 9 vols. (Zaragoza, 1967-1985), 1:313, 509, said that Pedro II introduced the *monedatge* in November 1205 at Huesca. It seems to have been levied by the cortes of Daroca 1243, Alcaniz, 1250, and every seven years thereafter.

<sup>34</sup> Royal letters of 26 December 1253 and 18 March 1254 in *Portugaliae Monumenta Historica, Leges et Consuetudines*, 1 vol. in 2 pts. (Lisbon, 1856), 1, pt. 2:192-7; Henrique da Gama Barros, *Historia da administração pública em Portugal nos séculos XII a XV*, 2d ed., ed. Torquato Sousa Soares, 11 vols. (Lisbon, 1945-1954), 3:134-40, 382-6.

<sup>35</sup> Joseph F. O'Callaghan, "The Cortes and Royal Taxation during the Reign of Alfonso X of Castile," *Traditio* 27 (1971): 380-3; idem, *Cortes*, 133-5.

the towns to additional levies in the *Cortes* of Burgos in 1272, 1274, 1276, and 1277.<sup>36</sup> The king's continuing demand for tributes led to the complaint that he "brought great poverty to the kingdoms of Leon and Castile."<sup>37</sup>

In Catalonia the *bovatge*, a tax on livestock customarily collected (according to Peter III) at the ruler's accession was transformed eventually into an extraordinary tribute levied with the consent of the Catalans.<sup>38</sup> The *Cortes* of Barcelona in 1228 and that of Monzon in 1232 granted the *bovatge* to James I for the war against Valencia, even though he had already received it at the *Cortes* of Monzon in 1217.<sup>39</sup>

The increasing need for exceptional revenues to finance royal projects met with no better reception than the royal efforts to modify the legal system. Then, as now, persons called upon to contribute taxes to the king's coffers complained that they were not bound to do so, or that they would be reduced to penury if they acceded to the king's demands. Taxation, then, along with legislation, became a cause of contention between the crown and the community.

### *James I and the Challenge of the Nobility*

In the sixties and seventies, the nobles of Aragon and Castile, agitated by these newfangled legal and tributary practices confronted their respective monarchs. The challenge set in motion at that time continued for more than a generation in both realms. When Alfonso X appealed to his father-in-law to assist him in suppressing the revolt of the Mudejars, James I took counsel with members of his court

<sup>36</sup> O'Callaghan, "The *Cortes* and Royal Taxation," 385–94; idem, *Cortes*, 135–6.

<sup>37</sup> *Cronica de Alfonso X* [hereafter *CAX*], chap. 17 in *BAE* 66:12–3; Jofre de Loaysa, *Cronica de los reyes de Castilla, Fernando III, Alfonso X, Sancho IV, y Fernando IV (1248–1305)*, ed. Antonio García Martínez (Murcia, 1961), chap. 219.7, p. 68. In Castile-Leon the kings also demanded loans from the towns (*emprestitos*), and Alfonso X several times promised that he would not impose these without consent. See O'Callaghan, *Cortes*, 135–43.

<sup>38</sup> Ferran Soldevila, "A propòsit del servei del *bovatge*," *AEM* 1 (1964): 573–87; Alfonso II attempted to levy the *bovaticum* in 1173, but in the *curia* of Gerona 1188 (art. 18), he promised not to demand it in the future. (*CAVC*, 1, pt. 1:67. Peter II, however, levied the *bovaticum* at his accession in 1196, but had to pledge to levy only customary tributes in 1205. (Bisson, *Aragon*, 54–5.)

<sup>39</sup> *Crònica de Jaume I*, ed. Jaume Casacuberta and Enric Bague, 9 vols. (Barcelona, 1926–1962), chaps. 47–55, 1:120–6, 2:6–16; Zurita, 1:367–8.

who advised him to convoke the *Cortes* before proceeding further. As the enterprise would require additional funding, he convoked the Catalan prelates and nobles at Barcelona in July, 1264. Although the Catalans reminded the king that "he had no right to" the *bovatge*, because he had collected it twice before, at his accession, and when he began the conquest of Majorca, they finally consented to a new levy of this tax.<sup>40</sup>

The Aragonese nobles assembled at Zaragoza in November 1264 were much less accommodating. Declaring, "my lord, we in Aragon don't know what the *bovatge* is," they absolutely rejected his request for it. Although the king pointed out that the Catalans had authorized it, the Aragonese refused to be moved.<sup>41</sup> Indeed, they now challenged the king, venting their opposition to the use of Roman law to expand royal power and to subvert their rights and privileges. Accusing the king of violating the traditional customs of Aragon, they objected to the resolution of lawsuits according to civil and canon law, and to the influence of legists, men trained professionally in Roman law. Recognizing the strength of their opposition, James I accepted some of their demands. In an assembly at Exea in April 1265, after swearing to uphold the laws and customs of the realm, he promised to appoint a knight as the *justicia* of Aragon, the chief judge of his court, and to authorize him to adjudicate suits between the crown and the nobility, "with the counsel of the magnates and knights in the curia." In effect, the king assured the nobles that they would be judged by their peers in accordance with their traditional customs.<sup>42</sup>

### *Alfonso X and the Castilian Nobility*

Alfonso X encountered similar opposition a few years after the suppression of the Mudejar uprising in 1266. Although the sources do

<sup>40</sup> *Crònica de Jaume I*, 7:chaps. 380–87, pp. 38–50.

<sup>41</sup> *Ibid.*, 7:chaps. 388–94, pp. 50–62; Luis Gonzalez Anton, *Las uniones aragonesas y las cortes del reino, 1283–1301*, 2 vols. (Madrid, 1975), 1:23, and *CAVC*, 1, pt. 1:56.

<sup>42</sup> *Fueros*, ed. Parral, 2:arts. 61–2, pp. 81–2; *Crònica de Jaume I*, 7:chaps. 396–400, 64–70; Gonzalez Anton, 1:23–4. Julián Ribera, *Orígenes del justicia mayor de Aragón* (Zaragoza, 1897), thought that the office of *justicia* was borrowed in the early twelfth century from the Muslim *sāhib al-mazālīm* or lord of injustice, but Andres Gimenez Soler, "El justicia de Aragón, ¿es de origen musulmán?" *RABM* 5 (1901): 201–6,

not refer explicitly to a union among the Castilian nobility they clearly acted in concert throughout the two years (1271–1273) of their quarrel with the king. During that time Alfonso X came to realize the validity of his father-in-law's admonition always to cultivate the support of the clergy and townsmen, "because they are people whom God loves more than the knights, since the knights are more prompt to rebel against authority."<sup>43</sup>

To the complaint that Alfonso X issued false coinage and contravened the old laws, the Castilian nobility added that there were no *alcaldes de Castilla* or *alcaldes de fijosdalgo* in his court; these were judges drawn from the ranks of the nobility, who would judge their fellow nobles. As in Aragon, the Castilian nobles were voicing their objection to the presence of Roman lawyers in the king's court and insisting on their own right to be tried by their peers. They also protested that the king neglected to punish abuses of authority by his officials; that he subjected the nobles to the *alcabala*, a new tax on merchandise collected in Burgos; that he undermined their lordships by establishing new towns and villages; and that his extravagant expenditures in pursuit of the imperial crown and for the celebration of his son's wedding impoverished the kingdom. At first the nobles insisted that the *servicios* levied with their consent on their vassals in 1269 should be collected more quickly, but during the *Cortes* of Burgos in 1272 they demanded that collection cease altogether. They also objected to the imposition of customs duties and complained of new royal settlements which were said to be detrimental to noble interests. Grants made to foreigners in support of his claims to the Holy Roman Empire were condemned because they were said to be detrimental to the financial well-being of the realm.<sup>44</sup>

Although Alfonso X promised to appoint noble judges in his court and confirmed the traditional customs of the nobility and the *fueros* of the towns in the *Cortes* of Burgos in 1272, the leading magnates withdrew and went into exile to the kingdom of Granada. In subsequent negotiations, they made additional demands, requiring him to limit the collection of *moneda forera* to every seven years; to abandon the recently introduced royal toll (*servicio de los ganados*) on migratory

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454–65, 625–32, argued on the contrary that the *justicia* originally was a judge in the royal court, appointed at will by the king to hear specific cases.

<sup>43</sup> *Crònica de Jaume I*, chap. 498, 9:12.

<sup>44</sup> *CAX*, chaps. 22–6, pp. 18–23.

sheep; to return to the shortened list of goods whose export was prohibited; and to grant lands only to natives of the realm. Alfonso X compromised eventually by agreeing to collect only four of the six *servicios* that the nobility had authorized in 1269, and to give up customs duties after six years, though it is apparent that he never did so. In this way the rebels were persuaded to return to their allegiance in 1273.<sup>45</sup>

Alfonso X's willingness to make concessions was prompted by his expectation that Pope Gregory X would soon recognize him as emperor, but that hope was dashed in 1275. The king suffered an even greater blow when his eldest son and heir, Fernando de la Cerda, died suddenly in 1275 while en route to the frontier to oppose a new invasion from Morocco.<sup>46</sup>

### *The Downfall of Alfonso X*

Alfonso X's last years were troubled not only by the renewal of Moroccan invasion, but also by his deteriorating health and problems relating to the succession to the throne. Although his eldest son, Fernando de la Cerda, had left two young sons, who were under age, the king recognized his second son, Sancho, as heir to the throne in the *Cortes* of Burgos in 1276. That decision clouded Castilian political life for two generations as parties formed either in support of Sancho or his nephews, the *infantes de la Cerda*.<sup>47</sup> In the *Cortes* of Segovia in 1278 Alfonso X entrusted Sancho (now twenty years old, the age of majority according to the *Partidas*, 2,15,3) with greater responsibilities for government, so much so that Juan Gil de Zamora, Sancho's tutor said that he began to reign together (*corregnare*) with his father.<sup>48</sup>

<sup>45</sup> *CAX*, chaps. 27-47, pp. 23-36; Real Academia de la Historia, ed., *Cortes de los antiguos reinos de León y Castilla*, 5 vols. (Madrid, 1861-1903), 1:85-6; Ignacio Jordán del Asso and Miguel de Manuel Rodríguez, eds., *El Fuero viejo de Castilla* (Madrid, 1781), prologue, pp. 1-3.

<sup>46</sup> *CAX*, chaps. 61-5, pp. 48-52; Ballesteros, 717-32, 764-9; Cayetano Socarras, *Alfonso X of Castile: A Study of Imperialistic Frustration* (Barcelona, 1976), 209-44.

<sup>47</sup> Jofré de Loaysa, *Crónica*, chaps. 219-21, pp. 90-1; *CAX*, chaps. 66-7, pp. 52-3; Bernat Desclot, *Crónica*, ed. M. Coll i Alentorn, 5 vols. (Barcelona 1949-1951), chap. 66, 3:10-3; Robert A. MacDonald, "Alfonso the Learned and Succession: A Father's Dilemma," *Speculum* 40 (1965): 647-54; Ballesteros, 789-91; O'Callaghan, *Cortes*, 83-4.

<sup>48</sup> Juan Gil de Zamora, *Liber de preconiis numantine*, ed. Fidel Fita y Colomé, "Dos obras inéditas de Gil de Zamora," *BRAH* 5 (1884): 146; Procter, 143.

Apparently Sancho was assigned responsibility for the northern and more settled regions while the king remained on the frontier, taking primary responsibility for the defense of Andalucia and Murcia. This arrangement bears some resemblance to the procuratorship of the Crown of Aragon, though at no time was Sancho ever described as procurator.

While trying to prosecute the war against the Moors of Morocco and Granada, the king's credit with the nobility and the people, who objected to his incessant demands for taxes, declined steadily. The breach became apparent in the *Cortes* of Seville in 1281 when the townspeople responded "more out of fear than love" that the king should do as he wished in the matter of issuing new coinage. In one of the *Cantigas de Santa Maria* (386), referring to this assembly, the king noted that "inquests of deceit" (*enquisas de mascarade*), which were probably royal inquests concerning arrears of taxes, angered everyone. Sancho too was outraged when he learned that his father planned to provide for the *infantes de la Cerda* by dividing the dominions of the Crown of Castile.<sup>49</sup>

Given the king's increasing physical incapacity, Sancho summoned the estates of the realm to Valladolid in the spring of 1282, where he assumed full governmental authority, leaving Alfonso X only with the title of king.<sup>50</sup> At that time the prelates, magnates, knights, monasteries, and towns of Castile and Leon organized *hermandades* or brotherhoods to defend their rights, privileges, and *fueros* against Alfonso X, whom they accused of acting contrary to justice and law by denying due process, imposing illegal taxes, and violating the *fueros*.<sup>51</sup>

The formation of the *hermandades* of Castile and León marks the beginning of the development of these general associations which would play such an important role in other times of crisis. The *hermandades* of 1282 embraced all sectors in society, but the emphasis on the

<sup>49</sup> *CAX*, chap. 75, p. 59; *Cantigas de Santa Maria*, ed. Walter Mettmann, 2 vols. (Coimbra, 1959-1974; Vigo, 1981), 2: no. 386, pp. 331-33; Joseph F. O'Callaghan, "The *Cantigas de Santa Maria* as an Historical Source: Two Examples (Nos. 321 and 386)," in *Studies on the Cantigas de Santa Maria. Art, Music, and Poetry*, ed. Israel J. Katz and John E. Keller (Madison, 1987), 387-403.

<sup>50</sup> Jofré de Loaysa, *Crónica*, chaps. 220-8, p. 102; *CAX*, chap. 76, p. 61; Ballesteros, 963-6, 994-6.

<sup>51</sup> *MHE*, 2:nos. 202-3, pp. 67-70; Augusto Quintana Prieto, *Tumbo viejo de San Pedro de Montes* (León, 1971), no. 375, pp. 482-87; Luis Suárez Fernández, "Evolución histórica de las hermandades castellanas," *CHE* 16 (1951): 14-5; Antonio Álvarez de Morales, *Las hermandades, expresión del movimiento comunitario en España* (Valladolid, 1974), no. 1, pp. 267-68.

defense of municipal liberties makes it clear that the towns were the driving force behind the movement. As a means of guarding their rights, annual meetings of the *hermandades* were planned and did indeed take place in the next year or so.

Alfonso X denounced Sancho and disinherited him, leaving his realms to his grandson, Alfonso de la Cerda, but also giving the kingdoms of Seville and Badajoz, and Murcia to his younger sons, Juan and Jaime. This dismemberment of the Crown of Castile, though it never took effect, ran contrary to the principle of inalienability stated in the *Partidas* (2,25,5), Alfonso X's great legal monument.<sup>52</sup>

### *Peter III and the Union of Aragon*

In the year following the near deposition of Alfonso X, Peter III of Aragon was confronted by the Aragonese nobility, whose demands were reminiscent of their Castilian neighbors. On the death of James I in July 1276, Peter III, in accordance with his father's will of 1262, inherited the mainland dominions of Aragon, Catalonia and Valencia, while his younger brother, Jaume, received the kingdom of Mallorca, the lordship of Montpellier, and the counties of Rousillon and Cerdagne.<sup>53</sup> The division reflected James I's notion that the lands over which he ruled were distinct entities joined together solely by the fact of a common ruler. The territorial unity of his dominions was not yet an accepted principle of public law.

After crowning himself in a "very great and honored *Corts*" (*molt gran cort e honrada*) at Zaragoza in November 1276, Peter III went off to Valencia to crush the Mudejars, stirred up by the Moroccan invasion of Castile.<sup>54</sup> The Catalan nobles protested his failure to come

<sup>52</sup> Geronimo Zurita, *Indice de las gestas de los reyes de Aragón desde comienzos del reino hasta el año 1410*, ed. Angel Canellas Lopez (Zaragoza, 1984), 262–66 (Alfonso X's denunciation of Sancho, October 8, 1282); Georges Daumet, "Les testaments d'Alphonse X le Savant, roi de Castille," *Bibliothèque de l'Ecole des Chartes* 67 (1906): 75–87 (will of 8 November 1282), 87–99 (will of 22 January 1284); *MHE* 2:nos. 228–229, pp. 110–34.

<sup>53</sup> *Crònica de Jaume I*, 9:chaps. 551–66, pp. 78–96; Amadeu J. Soberanas Lleó, ed., *Crònica General de Pere III el Cerimoniós dita comunament Crònica de Sant Joan de la Penya* (Barcelona 1961), chap. 35, p. 126; Ramon Muntaner, *Crònica*, ed. Enric Bague, 9 vols. (Barcelona, 1927–1952), 1:46.

<sup>54</sup> Bernat Desclot, *Crònica*, chap. 73, p. 37. *Crònica General de Pere III*, chap. 36, p. 130 spoke of *corts generals*.



directly to Barcelona to take the customary oath to uphold the liberties of Catalonia. Although the king ordered the collection of the *bovatge*, they refused to pay it, arguing that they were not obligated to do so until the tax was voted by the *Corts*. After some effort, however, the king forced the rebels to submit.<sup>55</sup>

While Castile was thrown into confusion by the quarrel between the king and his son, Peter III embarked on the adventure of the Sicilian Vespers in 1282, but soon discovered that he had left a discontented nobility behind in Aragon. Reacting against the king's efforts to strengthen his power by reliance upon the legists and by the application of Roman law, the nobles accused him of overriding traditional liberties and customs. When he rebuffed them at Tarazona in September 1283, saying that he did not need their advice on how to defend the realm against France, they demanded that he confirm their privileges. He refused, saying this was not the time to make such demands. Thereupon they promptly swore an oath to defend their rights.<sup>56</sup>

Facing the likelihood of civil war as well as a French crusade launched by the pope, Peter III convoked a *plena curia* or *Cortes* to Zaragoza on October 3.<sup>57</sup> The nobles, emboldened by their new-found unity, now formed an alliance with the towns (Zaragoza, Huesca, Jaca, Barbastro, Teruel, Alcañiz, Nabal, Alquezar) and presented a list of demands to the king.<sup>58</sup> Lacking the strength to dismiss his opponents, the king, on October 12, "with a good heart and free will" granted the *Privilegio General*, as it was later known, consisting of thirty-one articles.<sup>59</sup>

Peter III first confirmed the *fueros*, usages, and customs of Aragon, Ribagorza, Valencia, and Teruel (art. 1), and then agreed that the *justicia* of Aragon "should judge all pleas that come to the court, with the counsel of the *ricos hombres*, *mesnaderos*, knights, *infanzones*, citizens, and good men of the towns, according to the *Fuero*, and according as was anciently accustomed" (art. 3). Magnates were assured

<sup>55</sup> In the *corts* of Barcelona in 1283 the king had to agree that *bovatge* would be collected only in the customary places; *CAVC*, 1:art. 5, p. 143; Soldevila, "Bovatge," 578; Bisson, *Aragon*, 79–80.

<sup>56</sup> González Antón, 1:102–46, and 2:49–99, for documentation.

<sup>57</sup> Joseph R. Strayer, "The Crusade against Aragon," *Speculum* 28 (1952): 114–127.

<sup>58</sup> González Antón, 1:52–67, and 2:3–5, for pertinent documentation.

<sup>59</sup> *Ibid.*, 1:68–75, and 2:6–13, for documentation; *Fueros* ed. Parral, 2:no. 17, p. 33.

that they would not be deprived of their holdings without first being heard and judged in "a general court by the *justicia* of Aragon, with the counsel of magnates and other honored men of the towns of Aragon" (art. 14). Only natives of the realm would be appointed as judges in the king's court (art. 6), and the Roman concept of *merum et mixtum imperium*, which was never known in Aragon, Valencia, or Ribagorza, would not be recognized (art. 10). No judgement would be rendered on the basis of a judicial inquest (art. 2), and all appeals would be resolved within the kingdom of Aragon (art. 11). The king promised to make restitution of all properties seized unjustly by himself and his father (art. 4, 12–13). The collection of *monedage* was limited to the customary places (art. 30), and no new restrictions on exports would be imposed without the counsel of the nobles and townsmen (art. 21).<sup>60</sup>

Acknowledging that his wars and his affairs touched the community, the king promised to include in his counsel magnates, knights, and citizens and good men of the towns, as in his father's time (art. 5). To achieve that purpose, he agreed "to hold a general court of the Aragonese once each year in the city of Zaragoza" (art. 28).

In a concluding paragraph the magnates, knights, and citizens of the towns of the whole realm reserved the right to present further demands to the king in defense of their rights and privileges (art. 31). Just a week later (October 19) the nobility and the towns formed a sworn association or union in defense of their rights.<sup>61</sup> The *Privilegio General* in effect guaranteed the nobility the right to trial by their peers in accordance with customary law and limited the king's freedom of action in such areas as the regulation of the economy. The requirement of an annual convocation of the *Cortes*, assured the nobles (and probably the townsmen) of a regular opportunity to make their grievances known directly to the king.

From Zaragoza Peter III journeyed to Valencia where, on December 1, 1283, he confirmed the privileges granted by his father. He also pledged that his successors within a month of their accession would come to the city of Valencia "to celebrate a *curia* and to

<sup>60</sup> González Antón, 1:76–86, and 2:14–9, for the *Privilegio General*, and 2:19–37 for the demands of the Aragonese in the kingdom in Valencia and the king's confirmation of their *fueros* and those of Ribagorza and Teruel. Muntaner, *Crònica*, 3:5–6, presents a false picture of amity between the king and the nobles during the *Cortes* of Zaragoza.

<sup>61</sup> *CAVC*, 1, pt. 1:140–53.

swear to uphold the privileges of Valencia." Continuing next to Barcelona, he convened a *generalis curia* attended by the bishops, religious, barons, knights, and citizens of the towns of Catalonia.<sup>62</sup> In a constitution published on December 25, 1283, the king confirmed the traditional usages of Catalonia; guaranteed due process of law; assured the nobles of judgement by peers; restricted collection of the *bovatge* and *monedatge*; and promised to correct official abuses. Two laws were especially notable. The king declared that once a year he would celebrate in Catalonia a general court of the Catalans, including prelates, barons, knights and townspeople, to treat of the good estate and reformation of the land (art. 18). Although the *Corts* did not meet annually thereafter, subsequent monarchs confirmed the principle of frequent convocation. By also ordaining that no general constitution would be enacted without the consent of the prelates, barons, knights, and townspeople of Catalonia (art. 9), the king enabled the *Corts* to participate in the essential task of legislation.

Early in the new year, while Alfonso X of Castile struggled to maintain the vestiges of kingship, Peter III was contending with the papal crusade led by the king of France and with the continuing hostility of the Aragonese nobility.<sup>63</sup> Although he authorized the nobles and towns to form a sworn union, so long as its purpose was to preserve the general peace (September 28, 1284), the nobles objected to his demand for *monedaje*, and renewed their insistence that their pleas be judged by the *justicia* aided by the counsel of other nobles.<sup>64</sup>

Meanwhile Alfonso X died in April 1284, after being reconciled with his son Sancho, who succeeded him, but had to contend for most of his reign with continuing opposition from the *infantes de la Cerda* and their supporters. Peter III died in November of the following year after having the satisfaction of watching the ignominious retreat of Philip III and his crusading host. The problem of the Aragonese *Union*, however, continued to plague his successors for many years thereafter.

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<sup>62</sup> Other articles regulated relations between the crown and the magnates and between the latter and their dependents (art. 12-13, 15-17, 24, 29). Aspects of royal administration (art. 9, 18, 22, 26), and regulation of the economy were also dealt with (art. 7, 20, 22-23, 25).

<sup>63</sup> González Antón, 2:37-49.

<sup>64</sup> CDACA 8:no. 64, pp. 153-69; González Antón, 1:87-101.

*Conclusion*

The evidence outlined above suggests that comparable issues lay behind the confrontation between the kings of Castile and Aragon and the nobility in their respective kingdoms. There is every reason to believe that the nobility in both kingdoms were well aware of the challenges that each presented to its monarch. At the heart of the matter was a new concept of monarchy, influenced by Roman law, tending toward uniformity and centralization, subordinating to the crown all persons, no matter their social status. In each instance, James I, Alfonso X, and Peter III had to confirm the traditional laws and customs governing the noble estate. Each king agreed to the appointment of judges (the *justicia* in Aragon, the *alcaldes fijosdalgo* in Castile) in the royal court drawn from the nobility, who would adjudicate their lawsuits in accordance with the old customs, rather than the new Roman law. Procedures such as the judicial inquest, which the nobility (and the townsmen) perceived as a threat to their liberties, were banned or restricted. Abusive or negligent royal officials would be punished, and estates that the nobility claimed were wrongfully taken from them would be restored. The concession of lands to foreigners, or the presence of foreign jurists in the royal court (for example, Catalans, in Aragon) was condemned. In both kingdoms the royal right to the *moneda*, *monedaje*, or *monedatge*, or to extraordinary taxes such as the *servicio* in Castile or the *bovatge* in Catalonia or Aragon, was limited. In both Castile and Aragon the nobility also tried to curtail the king's claim to prohibit the export of certain types of goods, or to impose customs duties.

The nobles in each realm insisted that royal concessions be confirmed in the *Cortes*, though they did not necessarily envision the townspeople as having a major role in imposing limits on royal authority. The conflict between king and nobles nevertheless gave impetus to the development of the *Cortes* in both kingdoms, as did efforts to increase royal revenues by means of extraordinary taxation. The question of succession to the entire inheritance of the reigning monarch roused much contention, as both James I and Alfonso X ultimately ignored the principle of inalienability and divided (or attempted to divide) their dominions among their heirs. In both Castile and Aragon, the estates of the realm tried to counter the monarchy by organizing extraordinary associations, the *hermandades* of Leon and

Castile and the Aragonese *Union*, which planned to meet regularly to safeguard their interests.

In the wider European context, similar problems may be detected, especially in England. By forcing Henry III to accept the *Provisions of Oxford* in 1258, the barons tried to control the appointment of the principal officers of state, and called for the convocation of annual parliaments so that they could make their voices heard in the king's counsels. Edward I's pledge in his *Confirmation of the Charters* in 1297 not to impose extraordinary taxes without consent gave impetus to the rise of parliament. Across the channel in France, after the strong rule of Philip IV, his son Louis X (1314–1316) had to confirm the privileges of the nobility in Normandy, Burgundy, and other provinces. All of this is a reflection of the constitutional changes that occurred throughout western Europe in the thirteenth century.



PART THREE

THE LAND OF THREE RELIGIONS





## THE CIVIC STATUS OF THE JEW IN MEDIEVAL SPAIN

*Norman Roth*

Two concepts of fundamental importance for understanding the status of the Jews in medieval Spain, one peculiar to that civilization and the other shared with Jews in medieval Europe generally, are *convivencia* and *servi camerae*. Students of general Spanish history are surely familiar with the first, but may not be with the second. *Convivencia* is a wholly untranslatable term which is much more than "living together;" it implies living in mutual harmony, cooperation and even respect. *Servi camerae*, on the other hand, is a Latin term found in certain royal documents primarily of the medieval Holy Roman Empire, but also to some extent in France, England and elsewhere. It was used also, though far more rarely, in at least some early medieval sources in Spain. The term *servi camerae* has frequently been translated "serfs of the (royal) chamber," or even "slaves," at least in German.<sup>1</sup> This is begging the question, however, for in spite of the considerable literature on the subject, we still must await a thorough investigation to determine precisely the significance of the concept. For our purposes, it is sufficient to consider whether this concept was applied to Jews in medieval Spain, as Baer has argued that it was, and if so, did it conflict with or complement the idea of *convivencia*. More expansively, we shall seek to determine what the legal status of the Jew was in medieval Spain.

The earliest specific source which I have been able to find are the twin *fueros* of Teruel (ca. 1176) and Cuenca (1189-1211) from Castile. In both these *fueros*, in discussing the damages which must be paid if a Christian wounds a Jew, it is stated that the fine of 500 *suelos*

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<sup>1</sup> The bibliography is substantial, including some work in Hebrew. See, e.g., Salo W. Baron, "Medieval Nationalism and Jewish Serfdom," in *Studies and Essays in Honor of Abraham A. Neuman* (Leiden, 1962); Berthold Altmann, "Studies in Medieval German Jewish History," *Proceedings of the American Academy for Jewish Research* 10 (1940): 5-98; Guido Kisch, *The Jews in Medieval Germany* (New York, 1949), see index; James Parkes, *The Jew in the Medieval Community* (London, 1938), see index: "Ownership of Jews;" his article "Christian Influence on the Status of the Jews in Europe," *Historia Judaica* 1 (1939): 31-8; Gray C. Boyce's review of Kisch in *Historia Judaica* 12 (1950): 162-69.

must be paid to the king, and the following explanation is given: "In damages to a Jew, the Jew receives no part of it; for all of it goes to the king since the Jews are servants of the king and of his treasury" (F. Teruel: *qual los jodios siervos son del sennor Rey et sienpre a la real bolsa [treasury] son contados*; F. Cuenca: *siervos son del rey son de su tesoro; servi sunt regis et fisco deputati*).<sup>2</sup> These texts are extremely important since they are the only ones we have which give a Romance translation of the Latin formula; clearly, therefore, at least in Spain, Jews as *servi* were not understood to be either "serfs" or even "slaves," as argued by Jewish historians for other countries, but *servants* of the king. Not only this, but the term *camara* was not always understood in Spain to refer to the royal treasury, as in the privilege of Sancho IV (confirmed by Fernando IV) to his *escribano* in which he refers to him as *de la nuestra camara*, in which the term obviously has the meaning of royal household or council chamber.<sup>3</sup> In other words, it is possible that the Jews were considered not so much as belonging to the king's treasure as to his "domain" to his jurisdiction.

That the Jews were legally seen as "belonging" to the king, nevertheless, is clear. Thus, the *fuero* of Madrid, granted by Alfonso VIII in 1202, provided that the *judex* (chief judicial official of the *concejo*) may not pass sentence on men of his own house or of the palace, or on Muslims or Jews who "belong to the king" (*qui pertinent ad regem*). According to the note of the editors, free Muslims and Jews "belonged to the king" in the sense that they were *under royal protection*, because of the special taxes they paid.<sup>4</sup> The all-important *Fueros de Castilla* of the mid-thirteenth century also state that Jews "are the king's" and even though they may be under the jurisdiction of nobles (*ricos omnes*) or knights or monasteries, "all of them are of the king *in his protection* and for his service," which seems to confirm the above statement.<sup>5</sup> This concept, nevertheless, could sometimes be abused by a ruler who chose to misinterpret its meaning. This was the case

<sup>2</sup> Max Gorosch, ed., *Fuero de Teruel* (Stockholm, 1950), no. 568, p. 320; Rafael de Ureña y Semnjaud, ed., *Fuero de Cuenca* (Madrid, 1935), 632-3.

<sup>3</sup> Antonio Benavides, ed., *Memorias de d. Fernando IV de Castilla* (Madrid, 1860) II:773.

<sup>4</sup> Agustín Millares Carlo, ed., *El Fuero de Madrid*, trans. Agustín Gómez Iglesias (Madrid, 1963); Timoteo Domingo Palacio, ed., *Documentos del archivo general de la villa de Madrid* (Madrid, 1888), 50. *vocem de iudex*.

<sup>5</sup> Galo Sánchez, ed., *Libro de los fueros de Castilla* (1924; Barcelona, 1981), no. 107, p. 54.

with the young Fernando IV, certainly no friend of Jews, who actually justified his imprisonment of some Jews in Palencia in 1305 on the grounds that all Jews (and Muslims) were "his." Only the intercession of the bishop convinced him to free the Jews. Again in 1307, although intervening to protect the Jews of Toledo in the matter of interests on loans, the king even more clearly stated that the Jews and all they have are his.<sup>6</sup>

Strangely, we have apparently no information concerning the application of this concept to the Jews of Aragon-Catalonia, except for the *Furs* of Valencia (1240, by James I), which clearly copied the French laws. For example, if a Jew "flees or goes" to another ecclesiastical or secular overlord to live there he is not thereby absolved from the dominion of the king, "for at all times they are ours" unless the other overlord has legally acquired the Jews by donation or the like.<sup>7</sup> On the other hand, there are certain definite contradictions to this general concept that the Jews "belong" to the king. For instance, in the unique code of laws regulating gambling and gaming houses, *Ordenamiento de las tafurerias*, composed by *maestre* Roldan for Alfonso X in 1276, it is clearly stated that the Jews "are emancipated and are their own masters" (*como quiera que son [sean] forros, e esten sobre sí ms: libros sin señores*).<sup>8</sup> Even in the fourteenth century, when the situation of the Jews began generally to deteriorate in Castile, the *Ordenamiento* of Alcalá, granted by Alfonso XI in 1348, while prohibiting usury nevertheless noted that "it is our will that the Jews maintain themselves in our domains, and so our Holy Church commands because they shall yet turn to our holy faith and be saved as proclaimed by the prophecies, in order to be sustained and live and prosper [*pasar bien*] in our domain" they are to be allowed to sell property, etc.<sup>9</sup>

In the so-called "pogroms" of the summer of 1391 which swept

<sup>6</sup> *Memorias*, ed. Benavides II:504, 554-57 (Fritz Baer, *Die Juden im christlichen Spanien*, 2 vols. (Berlin, 1929-36) 2:109-10, and see his note there. The text is abridged in Baer, no. 121.

<sup>7</sup> Germà Colon and Arcadi García, eds., *Furs de Valencia* (Barcelona, 1970) 2:82-3 (I.viii.iii) (the word *no* there should be omitted; it is dittography from the word *no* in the preceeding line, as can be seen also in comparison with the Latin text).

<sup>8</sup> Alfonso X of Castile (attributed), *Opúsculos legales* (Madrid, 1836) II, 223; [Spain. Laws, statutes] *Los códigos españoles* (Madrid, 1872) VI, 246.

<sup>9</sup> *Ordenamiento de Alcalá*, XXIII.ii (Ignacio Jordan de Asso and Miguel de Manuel y Rodríguez, eds., *Ordenamiento de leyes que d. Alfonso XI hizo en las Cortes de Alcalá de Henares* (Madrid, 1774), rpt. in vol. 1 of *Códigos españoles*.

throughout Spain, this status of the Jews could be invoked as part of the vigorous campaigns by the rulers both of Castile and Aragon-Catalonia to halt the attacks. For example, María de Luna, wife of the *infante* Martin of Aragon-Catalonia and duchess of Montblanc wrote to the authorities of that city complaining about the agitation against Jews in Catalonia. She called the Jews the "treasure" of the lord duke "and of our chamber" (*de la nostra cambra*) who are under the special guard and protection of the duke and herself.<sup>10</sup> Even in more general legal contexts the same principle that the status of the Jews as "belonging" to the king was interpreted to offer special *protection* to them, and hardly to mark them as "serfs" (much less "slaves") of the royal chamber, as when Alfonso XI of Castile issued his law prohibiting the seizure of Jews or Muslims for debt, other than royal taxes, in which he stated: "And because the Jews and Muslims who live in our realm are mine, I expressly order that from now on the body of a Jew or Jewess, or of a Muslim, shall not be seized for what they owe."<sup>11</sup> This is confirmed also by the oft-cited observation of Diaci d'Aux concerning Aragon:

A Saracen or Jew cannot oblige himself by contract or loan to become anybody's captive . . . since their persons belong to the king. Not even the king can sell them, except in case of a crime [in fact, not even then]. Neither do they really deserve to be called captives or serfs in the sense that they may be sold, because according to law they have the liberty to move about, but they may be given away.<sup>12</sup>

It is evident from all of the above that the concept of "belonging" to the king, in medieval Spain as well as elsewhere in Europe (perhaps even to a great degree in Spain), intended the *protection* of the Jews and certainly did not imply a "serfdom" status.

The previously-cited statement that the Jews in Spain are not serfs because they have the liberty to move about is a very significant one. Indeed, the freedom to move was one of the most highly valued, and

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<sup>10</sup> F. Bofarull y Sans, "Documentos para escribir una monografía de la villa de Montblanch," *Memorias de la real academia de buenas de letras de Barcelona* 6 (1898): 573-4.

<sup>11</sup> Luis Suárez Fernández, ed., *Documentos acerca de la expulsión de los judíos* (Valladolid, 1964), 84.

<sup>12</sup> See, e.g., Abraham A. Neuman, *The Jews in Spain* (Philadelphia, 1942) I: n. 18, p. 230; Salo W. Baron, *A Social and Religious History of the Jews* (New York/Philadelphia, 1952), 3:101, and 11:10. The last statement is also incorrect, and he may have been confused by the possibility of the transfer of Jews in respect of taxes from one lord to another.

rare, privileges in medieval feudal Europe. Without plunging once again into the murky waters of the constant debate over whether or to what extent any of the kingdoms of Spain may be characterized as "feudal", clearly one of the most important things which generally differentiated these kingdoms from those of Europe was the degree of freedom to move which was granted to virtually all subjects. Throughout the thirteenth century, certainly in Leon and Castile but also even in the realms of Aragon and Catalonia, we do not get the impression that there were virtually any restrictions on such freedom. Only in the latter kingdom during the fourteenth century are there strong efforts on the part of the king, and some local overlords, to attempt to restrict the freedom of their subjects to move as they wanted to and to transfer their residence from one dominion to another. I know of no such effort elsewhere in Spain during the entire medieval period.

Jews, especially, valued this freedom, a privilege which they generally shared with their brethren in other European lands, at least in the "High" Middle Ages. This freedom was truly seen as liberty, and a jealously guarded privilege. It is perhaps not generally realized the extent to which Jews of medieval Spain were constantly on the move. Already in the Muslim kingdoms we note a high degree of such travel, often over vast distances, as when the famous poet and philosopher Solomon Ibn Gabirol, born in Malaga and educated in Cordoba, journeyed to Zaragoza where he lived for a number of years before leaving in disgust over his reception there and returning to al-Andalus. Jews from Toledo are found living in Barcelona, from Tudela living in Toledo and Granada (such as the poet Judah ha-Levy), or from Granada living in Estella (Moses Ibn Ezra[h]). Throughout our medieval sources, Hebrew as well as Christian, we may trace such peregrinations. Several times we find Jewish officials or artisans from Castile arriving in Barcelona to offer their services to the king there. Jewish rabbis, too, were constantly transferring from one community to another, and even from one kingdom to another. Hardly typical, but certainly not unique, is the case of a certain Jew who is described in a rabbinical *responsum* as living in Gerona with his wife and daughter. When his wife died, the man remarried a woman in (apparently) Castignon. His daughter married a man from Perpignan who lived in Gerona. In another case a man from Majorca married a woman in Perpignan and then he went to Seville where he married another woman (Jews were permitted multiple marriages, although

it was somewhat rare).<sup>13</sup> Often it was in the interests of the king to encourage Jews who were wealthy or who had important commercial connections to move into their kingdom. For instance, the *infante* Alfonso of Aragon-Catalonia (in charge of the kingdom while Peter III was away on his Mediterranean campaign of 1282–83) ordered all the officials of the kingdom to give their protection to “Tedroz” (Todros), a Jew of Castile who desired to move to Aragón.<sup>14</sup> There are, indeed, many such cases. In the rabbinical reply, signed by numerous outstanding scholars, to a legal question from Cresques Elies, physician of Peter IV, concerning some Jews who moved from Gerona to Perpignan and the resultant dispute over where they should pay their taxes, it was stated unequivocally that a Jew has always had complete freedom and may move for any reason:

he may go and no one hinders him, and this thing is known and the custom established so that in the courts of the kings and their castles, in their mouths and the mouths of their counsellors and in their hearts it is placed and engraved that all the Jews in all their dwelling places are free to go where they choose.

This is repeated several times, and then the text concludes: “And in this their [the Christians’] words are right in saying that the way of the Jews is like that of knights, free to go in every place.” One of the scholars appended his own remarks: “it was agreed from of old in the courts of the king and proverbial to them that *the Jews are free men* and the kings do not have the power to prevent them from going wherever the spirit moves them” (my emphasis).<sup>15</sup> In Murcia, too, after James II had acquired the kingdom from Castile, he granted a general privilege to Cartagena for Christians, Jews and Muslims, allowing them to move freely throughout that kingdom. Similarly, he granted an assurance to the Jews of Alicante that they would enjoy the same freedoms and rights as other inhabitants.<sup>16</sup>

<sup>13</sup> Nissim b. Reuben, *She’elot u-teshuvot* (Rome, 1545), nos. 10, 42.

<sup>14</sup> Jean Régéné, *History of the Jews in Aragon. Regesta and documents 1213–1327*, ed. Yom Tov Assis (Jerusalem, 1978), no. 1032.

<sup>15</sup> Baer, *Die Juden*, 1: no. 224a (pts. 1, 2, 3). The *responsum* was signed by Bonsenyor Gracia, Escapat Malet ha-Levy, Astruct b. Hasdai Bonsenyor ha-Levy, Bonafos Malet ha-Levy, Solomon Crescas, Bonafos b. Hasdai *alfaquim* ha-Levy, and apparently others whose signatures are obliterated.

<sup>16</sup> Juan Manuel del Estal, ed., *El reino de Murcia bajo Aragón (1296–1305)* (Alicante, 1985), 202–3; cf. Régéné, no. 2675. On the Jews in the kingdom of Murcia, see my “Los judíos murcianos desde el reinado de Alfonso X al de Enrique II,” *Miscelánea medieval murciana* 15 (1989): 27–51.

Of course, it is well known that the various laws and privileges establishing fairs throughout Spain always included the specific provision that Jews from all parts, including often those from other lands, should be free to come to the fair and should be under special protection during their coming and going. One of the earliest such provisions was in 1207, in a letter of privileges of Peter II to the community of Colliure (a small coastal town in the region south of Perpignan, a very important medieval port town). The king established a fair for that town and granted the concession that all "external Jewish persons" are free to come to the market, and may travel freely whether by land or sea or from Barcelona.<sup>17</sup>

The rulers of Aragon-Catalonia, or at least their legal advisers and codifiers, were always more under the influence of European (especially French) customs and laws than elsewhere in Spain. One example of this, of course, was the "king's peace law." Apparently the first example of James I's reign was Lerida in 1214 (Pedro I is known to have already issued such laws), but with no mention of Jews being included. The *Corts* of Villafranca de Penedes (1218) did include Jews and Muslims, and that was repeated in the *Fueros* of Aragon.<sup>18</sup>

The right to bear arms is another issue fiercely debated by those who have written generally on the *servi camerae* issue in medieval Europe (essentially the Holy Roman Empire). Indeed, it appears to be crucial to that debate, and although a correct understanding of that situation also even with regard to Germany is far from having been realized, it is instructive to see that in this regard, too, the Jews of Spain had absolute freedom and jealously guarded their right to bear and use weapons. As part of the "peace laws," the church council of

<sup>17</sup> José Maria Font Rius, ed., *Cartas de población y franquicia de Cataluña*, 2 vols. (Madrid, Barcelona, 1969) 1:doc. 223, p. 309.

<sup>18</sup> The laws of the *Corts* of Lerida were analyzed in detail by Salvador Sanpere y Miquel, "Minoria de Jaime I," I *CHCA* 1:594 ff. and cf. more briefly Ferran Soldevilla, *Els primers temps de Jaume I* (Barcelona, 1968), 77–82. Those of 1218 are in Pierre de Marca, *Marca hispanica sive limes hispanicus, hoc est, geographica et historica Cataloniae, Ruscinonis, et circumiacentium populorum*, comp. Pierre de Marca, ed. Etienne Baluze (1688; Barcelona, 1972), 1402 (where the editor confused with the *Corts* of 1214!); also in *CAVC* 1:97 and the confirmation of the *Corts* of Tortosa (1225) *CAVC*, 1:art. x, p. 104, and in *Marca*, art. ix, p. 1407, (and 1228, *Marca*, art. viii, p. 1413). See *Fueros de Aragón*, ed. Gunnar Tilander (Lund, 1937), no. 262, p. 150 and cf. 146 (note), the text of *Vidal mayor*. On the earliest form of peace laws in Catalonia, see Sister Karen Kennelly, "Sobre la paz de Dios y la sagrera en el condado de Barcelona (1030–1130)," *AEM* 5 (1968): 107–36 (on the council of Toluges discussed there, see also *Marca*, 443 and Vicente de la Fuente, *Historia eclesiástica de España*, 6 vols. (Barcelona, 1855) 2:191.

Tarragona (1233) prohibited Jews and Muslims from killing each other, and the following year a law was indeed made that everyone, including Jews, must sell his sword (obviously this law was never enforced). In 1296 the *infante* Peter ordered the Jews of El Frago (probably also elsewhere) to prepare, with weapons, to join an expedition against Castile. Those who did not desire to participate could find replacements and pay 800 sous to exempt themselves.<sup>19</sup> Our sources are replete with references to individual Jews getting into fights with swords, often in the synagogue and even on the Sabbath when carrying weapons was strictly forbidden. Suárez Fernández has even argued, what seems unlikely but not impossible, that Jews with a certain sum of money were also considered *caballeros* and therefore had to participate in the siege of Granada. We know that there was never any prohibition against Jews carrying weapons anywhere in Spain at any time, unlike Germany, at least, where such prohibitions were early enacted. It is well known, for example, that Jews fought on both sides, with Muslims and Christians, during the campaigns of the *reconquista*. Jews were also given castles to garrison and maintain throughout Spain, including two very important ones in Barcelona, the castle of Soria, and others in numerous cities, as I have discussed elsewhere. This was not, as Baer and other writers have claimed, in order to protect the Jews; on the contrary, the Jews were ordered to protect the city and vicinity where they held these castles. Only in certain rare cases did Jews seek and obtain as a special privilege exemption from the obligation to carry weapons and serve in the city guard, as was the case, for example, in Santa Coloma de Queralt in 1327.<sup>20</sup> That Jews thus were proficient in weapons became another mark of privileged, or at least equal, status, as in Leon in 1091 when Alfonso VI decreed that all disputes between Christians and Jews must be settled in accord with law or by equal combat. If the Christian chose a champion to represent him in combat, the Jews must also be allowed to do so, in order that there be absolute equality between them. If not, however, both parties could actually engage in combat. Elsewhere in Europe, of course, such a privilege was exclusively reserved for the nobility.<sup>21</sup> Baer interpreted this docu-

<sup>19</sup> *Marca*, 1427, 1431; Régné, no. 2614.

<sup>20</sup> Gabriel Secall i Guell, *Les jueries medievals tarragonines* (Valls, 1983), 280.

<sup>21</sup> Text of the *Karta inter Christianos et Judaeos* in *ES*, 35:411–14; reprinted frequently, e.g. Tomás Muñoz y Romero, ed., *Colección de fueros municipales y cartas pueblas* (Madrid, 1847), 89–95; Baer, *Die Juden*, 2:no. 14.



ment incorrectly and claimed that it "affected the Jewish position adversely" and proved that Jews were merely "regarded as royal serfs."<sup>22</sup> This ignores the fact that "serfs," royal or otherwise, would scarcely be given the right to trial by combat or champion. On the contrary, the document repeatedly stresses the absolute equality of Christians and Jews.

Indeed, Baer, who was constantly looking for evidence of oppression of the Jews in Spain, repeatedly argued that the Jews' supposed status as "property of the Crown" was proof of their degradation. As an example, he refers to the events of 1035 when, upon the death of Sancho *el mayor* of Navarre, the inhabitants of Castrojeriz killed four royal officials and sixty Jews (the source, incidentally, says nothing about "destroying the Jewish settlement in the vicinity of the royal palace," as Baer, again, misinterpreted it). From this, he concluded: "a revolt against the crown strikes at the Jews, the property of the crown." There is not a shred of evidence, however, in the source to sustain such a conclusion.<sup>23</sup> Again, referring to the riots (once again by inhabitants of Castrojeriz) after the death of Alfonso VI in 1109, which he wrongly claims took place in Burgos and "throughout León," Baer claimed that these were marked "especially" by murder and pillage of the Jews, "the protégés of the crown." In fact, however, the sources again do not confirm this. True, there were riots, and as we learn from the letter of Alfonso VII in 1127, still incensed by those events, royal palaces had also been attacked and there had been widespread and general robbery. In other words, this had nothing to do specifically with the Jews, but was merely typical of such common incidents whenever a king died. Nor did the riot in Toledo, which took place in 1108 and not 1109, have anything to do with this. There, incidentally, Jews were protected by Christian knights.<sup>24</sup>

In fact, there is, interestingly, no evidence at all of any popular animosity towards the Jews in Spain because of the privileged status

<sup>22</sup> Yitzhak (Fritz) Baer, *A History of the Jews in Christian Spain*, trans Louis Schoffman (Philadelphia, 1966) 1:44-5.

<sup>23</sup> Baer, *History* 1:43; the source is the fuero of Castrojeriz in Muñoz, *Colección de fueros*, 39 [re-edited by Gonzalo Martínez Díez, *Fueros locales en el territorio de la provincia de Burgos* (Burgos, 1982), 120]. The source does say that they robbed the *property* of Jews, but that is all.

<sup>24</sup> Baer, *History*, 1:51; *Colección de Fueros*, 41. The letter of Alfonso VII in Baer, *Die Juden* 2:9. On the Toledo riot, see my "New Light on the Jews of Mozarabic Toledo," *Association for Jewish Studies Review* 11 (1986): 198.

which they enjoyed, such as there was, for example, in medieval England (not, however, either in Germany or in France). Even the so-called "pogroms" of 1391 had nothing to do with this. The Jews were not, as Baer wrongly concluded, considered the "property of the crown" and therefore held in contempt. On the contrary, as we have seen, the laws acted for their protection. "Book Nine" of the *Fueros* of Aragon, consisting of laws made by James I but also with later additions (1265–1381), contains important additional information on the Jews (unfortunately, the editor provided no introduction or notes of any kind, so that it is impossible to know what law derives from what period). The first law dealing with Jews states that Jews and Muslims throughout the kingdom are all under the "special guard" (protection) of the king, and should one of these place himself under the protection (*en comanda*) of any nobleman or other person, he—the Jew—shall lose his head and forfeit all his possessions to the royal treasury.<sup>25</sup> At first glance, this law sounds very harsh indeed, and might appear to support Baer's contention. In fact, of course, it worked for the protection of Jews (and Muslims) who were thus placed fully under the personal safeguard of the king. In addition, the provision about transferring to the jurisdiction of another nobleman is absolute nonsense, as many Jews, both individuals and sometimes whole communities, were placed under the protection of various overlords, military orders, monasteries, etc. Only rarely was it even necessary for Jews to ask permission to move from one such jurisdiction to another. Indeed, Peter IV was petitioned by the extraordinary union of Jewish *aljamas* of the kingdom in 1354 in a lengthy Hebrew document with several demands, one of which was that the king shall permit any Jew in his kingdom to move from his home in the royal domain and live in the jurisdiction of any lord, or any place he chooses to live, "as permission [for this] has been granted from ancient days."<sup>26</sup>

Whereas it has been argued that the concept of the Jew as *servus camerae* changed from that of a *privileged* status in the early medieval period to that of "possession" of the royal treasury in late medieval Europe (14th century), there is no evidence in Spain of any such

<sup>25</sup> "Fueros de Aragón de 1265 a 1381," ed. Jesús Bergua Camón in *Anuario de derecho aragonés* 5 (1949–50): no. 372, pp. 471–72. On the meaning of *comanda* in this sense, see the glossary in the previously-cited ed. of *Fueros de Aragón*, 312.

<sup>26</sup> Baer, *Die Juden* 1: no. 35, p. 38; Hebrew.

deterioration. Thus, for example, when some Jews of Barcelona were threatened with attack in 1348 Peter IV ordered them protected, noting they are under his "special protection" (*sub nostri constitutos speciali protectione, guidatico et comanda*). In 1369, when Jews of Tortosa were attacked during "Holy Week" (a rare occurrence, but it did happen), the city officials intervened, noting that the Jews were under the personal protection of the king. Queen Violante in 1387 ordered the authorities of the lovely town of Albarracin (an important Jewish community was there) to see that no one rob or molest the Jews, nor allow any harm or grievance to come to them "against right and reason, "because they are *patrimonio nuestro*."<sup>27</sup> That the Jews were considered to "belong" to the king strictly and exclusively in the sense of being under royal protection is thus obvious; nor, as we have seen, did this in any way impose any restriction on the personal liberty of the Jews.

Another example of full equality, as well as protection, were the laws in medieval Spain (and this excludes, of course, such purely theoretical codes as those composed in the reign of Alfonso X of Castile, primarily by clergy such as Ramón de Peñafort; these were no more intended to be enforced, even had those codes been actually adopted as binding, than were the similar theoretical statements found in canon law; some have been misled concerning this). A full analysis of this would require many pages and would take us far afield from our essential topic. One aspect of this, the complete equality of Jews before courts of law, including the right to representation and, indeed, to serve as lawyers for Christians, I have already dealt with elsewhere. In that respect, it is again interesting to look at another theoretical law code, the *Vidal mayor* of the bishop of Heusca, Vidal de Canellas, who also was solely responsible for drafting the *Fueros de Aragón*. The *Vidal mayor*, theoretical as it came to be viewed, nevertheless was absolutely binding for Huesca under that bishop. Interestingly, it not only bars Jews from acting as *procuradores* or advocates for Christians before a Christian court, it excludes "Jews, Muslims and enemies of the faith" entirely from appearing in a Christian court (i.e., as lawyers) even on their own behalf. No such prohibitions exist in the *Fueros de Aragón*, however, because they would not have been

<sup>27</sup> Baer, *Die Juden*, 327–38 (Barcelona); Francesch Carreras y Candi, *L'ajama de juhéus de Tortosa* (Barcelona, 1928), 55; Francisco de A. de Bofarull y Sans, "Jaime I y los judíos," *I CHCA* 2 (1913): 853 (Albarracín).

tolerated in the kingdom at large in the face of long-standing custom to the contrary.<sup>28</sup>

Although we cannot be detained too long in this discussion of law, a brief survey may be instructive. Sancho III of Navarre concluded his *fuero* of Najera, applied to the entire Rioja region (1076), by stating that he made this law for *all*, Christians and Jews. The *fuero* of Briviesca (1123) states simply that "if Jews come to settle in this city [which they did], they shall have your law;" i.e., one law for Christians and Jews. That of Lerma in 1148 provided that all, Jews as well as nobles (*infanzones*), shall have the same law as inhabitants of the city. In Teruel (which law extended to the entire Extremadura and was very influential also in later Aragonese law), Jews were equal citizens and equal with Christians and Muslims in laws regarding commerce. The *sayon* (judge of minor civil cases) had to swear to faithful dealings with all: Christians, Jews or Muslims. Mirando de Ebro's *fuero* (1177) provides that all, Christians, Muslims and Jews, have the same law.<sup>29</sup> Particularly interesting are the laws of Alfonso I of Aragon-Catalonia, such as the extremely important (but often ignored) *fueros* of Viguera and Val de Funes, which state that if a Muslim or Jew has a quarrel whether with a noble or any other person, the lord of the town must "concern himself with his minorities" (i.e., those of lesser power) and provide complete protection of the law of the land for them.<sup>30</sup>

The entire issue of the status of the Jew in medieval Spanish law can only be clarified in the larger context of *convivencia*. It is, of course, necessary to explore this from the Jewish side and sources as well, and such crucial topics as the interpretation of the Talmudic concept of "the law of the kingdom is the law" (*dina de-malkhuta dina*) shall have to be scrutinized. For our present purposes, suffice it to say that Spanish rabbinic authorities were unanimous in their support of the application of that principle to their kingdoms, which necessitated

<sup>28</sup> See my "Dar 'una voz' a los judíos: representación en la España medieval," *AHDE* 56 (1986): 943-52. Vidal de Canellas, *Vidal mayor*, ed. Gunnar Tilander, 3 vols., *Leges hispanicae mediæ ævi*, vols. 4, 5, and 6 (Lund, 1956), 5:52-53 (I.43.17), and 80 (I.57.44).

<sup>29</sup> See, respectively: Muñoz, *Colección*, 295; Martínez Díez, *Fueros locales*, 136, 153, 164 (Miranda); *Fuero de Teruel* (see n. 2 above), nos. 85, 132 pp. 143, 186.

<sup>30</sup> *Fuero de Viguera y Val de Funes*, ed. José Maria Ramos y Loscertales, *Acta Salmanticensia, Filosofía y letras*, vol. 7, no. 1 (Salamanca, 1956). (In spite of the justifiable reputation of that scholar, this important *fuero* has been almost totally ignored since its publication.)

the recognition of the justice of the laws and the operation of proper courts in the land. The question of what legally constituted the status of citizenship (*vecinidad*)—though other terms were also sometimes employed in medieval Spain—deserves a thorough study, which it so far has not received at all. Indeed, the medieval legal codes often appear to be silent or extremely vague on this matter. In general, a *vecino* was considered to be the owner of property; though not necessarily land, merely the inhabitant of a house. In Murcia, after it became part of Castile under Alfonso X, citizenship was acquired either by birth or by acceptance by the council, “or in principle by the concession of houses and goods, which supposed conformity to the obligations and benefits of citizenship,” according to Torres Fontes.<sup>31</sup> Since the *fuero* of Seville was granted to Murcia by Alfonso, before the *Fuero Real* became the effective code there, it is logical to assume that the granting of houses and property to Jews in Seville, on a vast scale, by Fernando and Alfonso after the conquest of that city in effect thus conferred citizenship upon them. The same must be said for the Jews of Jerez.

In Burgos, at least in the fourteenth century and later, actual “citizenship cards” were issued by the *concejo*. These granted not only the privilege of inhabiting a house in the city but also imposed duties (primarily to pay taxes). Jews, as well as Muslims, were allowed to become citizens.<sup>32</sup> Turning again to some of our *fueros*, that of Soria defines as “citizen” anyone living within the boundaries of the city. Yet other codes, such as the *Costums* of Tortosa, clearly distinguish between “citizens” and “inhabitants” (though *how* is not clear). An important term found in the *fueros* of Alcalá, Cuenca, Zorita de los Canes, Alhondiga, Brihueca, Plasencia, Bejar and Baeza is *atemplante*, unattested in any of the Spanish dictionaries, but which one writer has suggested may mean *contrastado* or one inscribed in the tax register. More probable is her other suggestion that it means one who lives only a part of the year in the city. If correct, that would be particularly significant for Jews, many of whom as merchants resided in one city part of the year and elsewhere for other parts.<sup>33</sup> The (unpublished) *fuero* of Alarcon (late 13th or early 14th century) once

<sup>31</sup> *Documentos del siglo XIII*, vol. 2 of *Colección de documentos para la historia del reino de Murcia*, ed. Juan Torres Fontes (Murcia, 1961), p. xlv.

<sup>32</sup> Carlos Estepa, Teófilo Ruiz, Juan A. Bonachía and Hilario Casado Alonso, eds., *Burgos en la edad media* (Valladolid, 1984), 359–60.

<sup>33</sup> *Fuero de Cuenca*, 516, For *atemplant* in Brihuega, see *Fuero de Brihuega*, ed. Juan

again indicates the equality of Jews and Christians as citizens, noting that all signatures on documents between members of the two communities must be by Jewish and Christian *vecinos*, those who are citizens.<sup>34</sup> The *fuero* of Cuenca, and that of Iznatoraf which was dependent upon it, excluded from citizenship certain categories of people: *telonearius* (cf. Sp. *telonarius*), a tax-collector (*portadguero* in the Sp. texts of the *fueros*), *merinus* (*merino*, a kind of judge, or overseer of estates), and Jews.<sup>35</sup> Nevertheless, there appears to be an inconsistency in this law, for the same codes specifically refer to *judyto vezino*: in cases involving a Jew who is a *citizen* of Cuenca, both a Christian and Jewish *citizen* must give testimony. Also with regard to testimony and oaths, "an oath is required between Christian and Jewish *citizens*."<sup>36</sup> In the extremely important *fuero* of Teruel a Jew is specifically referred to as "a citizen;" however, although the *fuero* essentially dates from ca. 1176 this may be a later addition, possibly derived from that of Cuenca. In the *Costums* of Tortosa (essentially 13th century, but also with later additions), Jews are classed as citizens.<sup>37</sup>

It is very important to note that in most of the theoretical Alfonsine legislation of Castile, the Jew is a fully recognized free legal person, in spite of all the restrictions supposedly imposed, and thus may bring actions in court, serve as a witness, appeal decisions, etc. A slave, on the other hand, is said to belong to his master (with all his goods) and is not a legal person and so may not, for example, appeal decisions against him.<sup>38</sup> In Navarre, the important *fuero* of Estella specifically refers to the Jew as "free, freeman," i.e., a citizen (*si franco est*);

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Catalina García (Madrid, 1888), 127 and *Fuero de Baeza*, ed. Jean Roudil (The Hague, 1962), 157 (510a). For other examples, and suggested meanings, see Esther Jimeno, "La población de Soria y su término en 1270," *BRAH* 142 (1958): 210–11, 213–14.

<sup>34</sup> BN, MS. 282, f. 59v.

<sup>35</sup> George H. Allen, ed., *Forum Conche, Univ. of Cincinnati Studies*, ser. II, vol. 5, no. 4 [1909] and 6, no. 5 [1910], vol. 18; *F. Cuenca* (see n. 2 above) I.i.12 and *F. Iznatoraf* there XIII, pp. 123, 124–25 (Iznatoraf, or Heznatoraf, no longer exists, but was an important medieval town located near Ubeda; its *fuero* was granted by Fernando III.)

<sup>36</sup> *F. Cuenca*, 616, 628–29; cf. *F. Teruel*, 312.

<sup>37</sup> *F. Teruel*, no. 34, p. 107; Bienvenido Oliver, ed., *Libre de les Costums generals escrites de la insigne ciutat de Tortosa* (Madrid, 1881), I.i.xv.

<sup>38</sup> *Las siete partidas* (Madrid, 1807), III.xxiii.2; on rights of Jews to initiate actions, see VII.xxiv.5. True, the earlier *Fuero real* (IV.xx.2) theoretically maintains that a Jew is *not* a legal person, but this cannot have had any actual force, as we know from the evidence of daily practice.

the term meant "free citizen" in general).<sup>39</sup> In Aragon-Catalonia, Alfonso II already repeatedly granted privileges to individual Jews, often including their entire families and descendants "forever," granting them freedom and liberty (*franchi, liberi et ingenui ab omni servicio*).<sup>40</sup> This was more than mere exemption from taxes, but clearly conferred a special privileged status of citizenship. Later rulers, throughout the thirteenth and fourteenth centuries, generally followed a similar policy.

We gain also some insights, once again, from the Hebrew sources. Thus, a certain Jew, apparently angry with the community for some reason, swore an oath to leave Lerida before Passover with all his household and not to return for a year. However, the lord of the city and his ministers prevented him from taking anyone with him except one of his sons (probably the man was an important merchant and it was not desirable that he leave the city). In his reply to the questions involving the oath, the renowned scholar Solomon Ibn Adret has some interesting observations on local usage with regard to the meaning of "resident." In Lerida, he says, people call a resident someone who tarries in the city for a determined period of time, and in Huesca they also call a resident someone who remains there for a time, whether longer than the time determined in Lerida or less than that. Apparently everything is dependent on the intent of the person in each city. The rabbi then adds:

It seems that you did not swear [the oath] in Hebrew but in the language of the people, that you will not be an *estanteh* of Lerida, and I see that one is not called *estanteh* unless he establishes his residence in that place, for these merchants who come from there to here [Barcelona] and tarry here in their business even a full year, but their intent is to return to their place, are not called *estanteh* of Barcelona but [rather] *estanteh* of Lerida.<sup>41</sup>

The word transliterated in Hebrew as *estanteh* is, of course, Catalan *estant*, a permanent resident (and has nothing to do with German as the editor of the Hebrew text wrongly surmised).

Certainly it was extremely important to, and in the best interests

<sup>39</sup> José M. Lacarra and Angel J. Martín Duque, eds. *Fueros derivados de Jaca 1. Estella-San Sebastián* (Pamplona, 1969), 137 (Latin), 217 (Romance); Gustaf Holmér, ed., *Fuero de Estella* (Romance), *Leyes hispanicae medii aevi*, 10 (Stockholm, 1963), 53.

<sup>40</sup> Baer, *Die Juden* 1, nos. 45-7, 48a.

<sup>41</sup> Solomon Ibn Adret, *Teshuvot ha-Rashba ha-meyuhasot le-ha-Ramban* (Warsaw, 1883; photo rpt. Jerusalem, 1976), no. 267.

of, the overlords and councils of the cities, as well as the kings, that important Jews, such as merchants or physicians, be kept happy so that they would remain where they lived. This is not only why citizenship, and such extraordinary privileges as exemption from taxes and other benefits, were granted, but perhaps also explains why kings would trouble themselves to get involved in settling such apparently petty disputes as over a seat of honor in a synagogue! Many writers have expressed amazement at the fact that very many (in fact, the overwhelming majority of those mentioned by name in any source) of the Jews of Spain were given the title *don* or *doña*. As correctly pointed out by Carrete Parrondo, contrary to the opinion of some, these titles certainly did indicate a certain elevated social level in society of medieval Spain. It is of great importance, therefore, to pay attention to the numerous cases of Jews who were given these distinctive titles. This was, once again, no mere accident, but both reflected the high level of social prestige attained by many Jews and also, inasmuch as these titles were used constantly in personal address and in writing, served to inculcate a certain degree of respect towards their bearers.<sup>42</sup> Of course, in addition to the large number of Jews we find throughout medieval Spain who bore these titles of respect there were the special classes of Jews who were administrators of estates for the nobility and even for kings, collectors of taxes (again, for nobles, churches, military orders, etc. as well as the royal taxes), physicians on the city payroll or in the service of the aristocracy and royalty, and the hundreds of Jews who served as *bailes* and even higher-ranking government officials for the Crown. Jews were even sometimes appointed as court judges (*alguazil*, *merino*) in various cities. All of this is yet further proof of the degree to which Jews in medieval Spain not only achieved citizenship but even honored positions of responsibility and authority over Christian (and Muslim) citizens. Needless to say, such a thing would have been unthinkable in any other European country.

The responsibilities of citizenship included, as we have seen, paying taxes. It has become proverbial among many Jewish writers, following Baer again, that the Jews of Spain were particularly discrimi-

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<sup>42</sup> Carlos Carrete Parrondo, "Talavera de la Reina y su comunidad judía. Notas críticas al padrón de 1477-1478," in *En la España medieval. Estudios dedicados al profesor d. Julio González González* (Madrid, 1980), 47. In the documents of Talavera for the years indicated, 76% of the Jewish men and 20% of the women had these titles. Numerous examples could, of course, be cited from all periods throughout Spain.



nated against in this regard; that they were, to quote Baer, a "sponge to be squeezed-dry for taxes." This was, however, nothing but an already tired cliché often used by other writers to refer to the condition of Jews in other countries.<sup>43</sup> It certainly applied in England, and often in France, but just as certainly does *not* apply to Spain. This issue of taxation, at least in Baer's view, relates also to the *servi camerae* issue, for in an early article he had written (incorrectly, and incidentally in almost unintelligible Hebrew) that the "majority" of the documents on taxation cited by Régné for the Jews of Aragon-Catalonia show that the Jews were a "treasury of the king" and that "from their pockets were stolen the majority of the income" of that kingdom.<sup>44</sup>

While space does not here permit the detailed investigation of the question which must be reserved for another place, a few remarks may serve at least to dispel the myth. There were a variety of taxes in medieval Spain, with generally few differences among the kingdoms. To mention a few of the more important, there was the *pecha ordinaria* which every citizen paid annually on real and movable property. Usually, the Jewish *aljamas* themselves assessed this tax on individual Jews and paid a lump sum to the government. The next most important tax was the *cabeza* (or *cabeza del pecho*, or *servicio*), a "head-tax" paid by every adult male (the age of majority varied considerably in Spain). Special taxes included the *cena*, a monetary or other contribution (bedding, etc.) to defray the lodging costs of members of the royal household when they came to a particular town. This tax was particularly loathsome, and in fact Jews often demanded, and were granted, exemption from it. In addition to these, there were sometimes special imposts for war or defense, repairing city

<sup>43</sup> Baer, *History* I:175. It was perhaps first used in the presidential address of H. S. Q. Henriques before the Jewish Historical Society of England in 1918, referring to the Jews of medieval England [see Jewish Historical Society of England *Transactions* 9 (1918-20): 40], the king "used them as a sponge to suck up the property of his liege subjects, to be afterwards squeezed and discharged into his own coffers." James Parkes also used it ("Christian Influence on the Status of the Jews," see n. 1 above, p. 37) in blaming the privileges granted by medieval kings to Jews on a plot to use Jews as a sponge to soak up taxes. The notion in fact originated with certain 16th-century Christian theologians [see Salo W. Baron, "The Jewish Factor in Medieval Civilization," *Proceedings of the American Academy for Jewish Research* 12 (1941): 40; Baron did not mention Henriques or Parkes, and Baer, who obviously did not read Baron's famous article, had not yet written his book].

<sup>44</sup> "Seforim ve-meqorot hadashim le-toldot ha-yehudim bi-Sefarad" (Heb.), *Devir* 2 (1923): 311.8.

walls, bridges, etc., or for the upkeep of castles (inasmuch as Jews very often held the castle, those particular taxes often benefited rather than disadvantaged them; some communities, for example, were required to provide food to the Jewish guardians of the castle). "Indirect taxes," or sales and use taxes, were imposed directly on merchants (the *alcabala*), and of course were passed on to the consumer. Others, such as the *sis*a (variously *cisa*, or sometimes *almona* [not *almahona*]), were excises on wine, meat and other food items (this originated in Aragon and was first imposed in Castile by Sancho IV; however, it was withdrawn during the minority of Fernando IV, only to be re-instituted later). Other indirect taxes were the *portazgo*, a tax on transporting goods (for which numerous exemptions were made in order to encourage trade); the so-called *diezmo aduanero*, export and import duties imposed at the frontiers between kingdoms and at the ports; and the *almojarifazgo*, primarily but not exclusively in the province of Toledo and in some other urban centers, which included taxes on royal property used in any way for local commerce (mills, stores, warehouses, etc.).<sup>45</sup> In addition to these, there were special tithes due to churches (or church organizations, monasteries, military orders, etc.) on property. Jews and Muslims, however, only were required to pay such tithes on property which they rented or had purchased from a Christian owner, and even then there were numerous exemptions. This is an important point to stress, because it has often been incorrectly interpreted.

The obvious point here is that all of these taxes were common to every inhabitant, Christian, Jew or Muslim, of Spain. I have yet to find a single case of a special tax which was imposed only upon Jews (an exception may be if synagogues or other Jewish communal property, such as schools or hospitals, were taxed and comparable Christian property was not; however, currently available sources do not reveal whether this was so, and, on the other hand, churches and church property very often were taxed). The single exception to this was the hated, and much debated, special "thirty *díneros*" tax on adult Jewish males payable directly to the church, a reference to the "thirty

<sup>45</sup> There is, again, no single study on the subject of medieval Spanish taxation. Some information in general may be gleaned from such works as Luis García de Valdeavellano, *Curso de historia de las instituciones españolas* (Madrid, 1968), and especially Salvador de Moxó, *La alcabala, sobre sus orígenes, concepto y naturaleza* (Madrid, 1963). See also Mariano L. de Castro Antolín, "Consideraciones en torno al origen y concepto del almojarifazgo," *I Congreso Historia Andalucía* (1970), I:435-42.

pieces of silver" which the gospel of Matthew (only) claims was paid to Judas to betray Christ. That, too, is the subject of a future discussion, but for the present suffice it to say that this tax operated only irregularly and only in a few Castilian cities (at various times, these were Seville, Segovia, Burgos, Valladolid and Toledo). I know of no communities in the kingdom of Aragon-Catalonia where this tax was imposed. Taxation was also not arbitrary. The Jews of Aragon-Catalonia were particularly well organized in this respect, and the custom was to send delegates from each local Jewish *aljama* (incidentally, as the Muslim communities were also called *aljamas*, it is necessary to distinguish the two) to a central convocation, held in different cities each year, for the purpose of apportioning the annual tax assessment.

In 1283, for example, this resulted in a problem. The delegates, assembled at Alagon, could not reach accord, and the *infante* Alfonso was informed of this, and also that several delegates had left in order to hinder the deliberations, and he ordered them to follow their regular procedure and not to leave the city until it was resolved. The following year, many communities failed to send their delegates at all, or these failed to provide adequate accounts. The king (Peter III had returned from Sicily) had to order the arrest of some of these, and in the case of Barcelona, he ordered that new delegates be sent.<sup>46</sup> Undoubtedly as a result of these repeated problems, the king was unusually explicit in his demands in 1285, providing us with some of the most detailed information we have on Jewish taxes. The "head-tax" was fifteen *dineros*, the *pecho* was two *dineros*, one *dinero* for each piece of property (land), and fifteen *dineros* for each house worth 600 *sueldos* (apparently one *dinero* additional for each *sueldo* over that value). Produce grown was to be assessed by oath of the owner as to value and taxed at the *cabal* rate (2 *dineros*). "Captive Muslim men and women" (slaves) were taxed, unless they were being held for sale. All benefits from labor or manufacture were taxed at a rate of one *dinero* per ten *sueldos*, or a lump settlement of ten *sueldos*. In this case, we do in fact learn that communal property was exempt: all property and money belonging to the *almona* (usually a hospital) was exempt, as were the blind, lame and crippled exempt from all taxes. The poor did not pay the "head-tax." However, all others who were regularly exempted by the Jewish *aljamas* themselves (usually, this meant

<sup>46</sup> Régéné, nos. 1072, 1240, 1254, 1255, 1256.

scholars) were now obligated to pay, except those "free" by order of the king.<sup>47</sup> In Castile, at least in the fourteenth century, the arrangement was somewhat different. According to an important Hebrew source, ignored by Baer, there was an agreement with the king and all Jewish communities that taxes were to be apportioned so that each taxpayer paid a fixed daily rate, which was set by the assessors in each community.<sup>48</sup> Indeed, one stumbles across important information in unlikely places in the Hebrew sources, such as the extremely important statement in a commentary on the Talmud that the king does not sell land to pay delinquent taxes until after four or five years have passed; rather, he prefers to rent it out until the taxes are paid, "as is the custom in Catalonia."<sup>49</sup>

Repeatedly the Jewish rabbinical authorities expressed their opinions that all taxes enacted by the kings and government were fair and were obligatory upon Jews because of the rule of "the law of the kingdom" (*dina de malkuta dina*). Scholars such as Solomon Ibn Adret, who were close advisers to the kings and often called upon by them to deal with various matters, were especially outspoken in their defense of government policies. Much important information may therefore be gleaned from their writings. An interesting example is the enactment of the Jewish community of Zaragoza, stating in part: "All of the community here agreed together, *salva fidelitat* of the minister, and it was the counsel of all without exception that no Jew or Jewess of Zaragoza should be exempt from the tax of the minister or his imposts."<sup>50</sup> It is probable that the "minister" here mentioned, which Baer "corrected" to read "king" in spite of the fact that the word appears several times, refers to the *merino* Egidio (Gil) de Peralta, who was responsible for administering taxes, etc. in 1264. This particular document was preserved also in a question to Ibn Adret concerning a particular case of a widow and her two sons in Zaragoza

<sup>47</sup> Baer, *Die Juden* 1:144-5.

<sup>48</sup> Yom Tov b. Abraham Ishbili, *She'elot u-teshuvot*, ed. Joseph Kafih (1959; Jerusalem, 1978), no. 120 (the case discussed is lengthy and important).

<sup>49</sup> Joseph Ibn Habib (Spain; 15th cent.), citing Jonah Gerundy (*ha-R"Y*), "*Nimogey Yosef*" on *Halakhot* of Isaac al-Fāsi on *B.B.* 55a, s.v. "*Karja*" (in standard eds. of Talmud). See also Bezalel Ashkenazy, *Shilah mequbeset* on *B.B.* 55, and Solomon Ibn Adret, *Hidushey . . . Gitin* 10b.

<sup>50</sup> Solomon Ibn Adret, *She'elot u-teshuvot V* (Vilna, 1884), photo no. 279; brief excerpt in Baer, *Die Juden* 1: no. 1, p. 159. For Egidio Peralta, cf. Baer, *Die Juden*, 105-6, and Régéné, no. 245. The term *salva fidelitat*, found also in Hebrew texts from Castile as *salva la fe*, means "without diminishment of fealty due to."

who sought exemption from the taxes. The "minister" (*merino*) ordered the community to appoint three judges to investigate her case. In his opinion, Ibn Adret points out that the language of *salva fidelitat* in the document provides the minister with the power to nullify the community enactment or make exceptions to it, and that if he has done so, no community ban can take effect against it. This is a very important legal ruling, which shows that the greatest authority of the age, Ibn Adret, was willing to extend the talmudic principle of "law of the kingdom" to include even the power of government judges. Remarkably, the very text of the privilege in question, granted in fact in 1264 by the king (James I) to the widow and her son, has been preserved.<sup>51</sup>

There are many other sources relating to the taxation of Jews, of course, including some extensive lists of actual taxes paid by various communities.<sup>52</sup> This is certainly not the place for extensive details, however. Suffice it to say that there is *absolutely no proof* that the Jews suffered a particularly onerous tax burden, or indeed that they paid a disproportionate amount of the taxes, at any time. There were repeated exemptions granted by kings, not only to individual Jews but often to entire communities. If the Jews were a "sponge to soak up taxes," they were certainly a very ineffective sponge in this regard, for the total tax contribution of the Jewish communities never amounted to more than a small fraction of general taxes.<sup>53</sup>

As we have already commemorated in 1992 the expulsion of the Jews from Spain in 1492, it is perhaps important to call attention to the fact that one of the greatest disservices which Baer rendered to historical objectivity was his portrayal of the Catholic Monarchs as "fanatics," "zealots," "bigots," etc., a picture which has been repeated subsequently by his disciples (Beinart, Netanyahu) and others. Baer, for purposes best known to himself, of course chose totally to ignore

<sup>51</sup> Baer, *Die Juden*, I: no. 99, p. 106.

<sup>52</sup> I refer to the famous list of the taxes of the Jewish communities of Castile and León for 1290; cf., e.g., José Amador de los Ríos, *Estudios históricos, políticos y literarios sobre los judíos de España* (Buenos Aires, 1942), 38–40, and his *Historia de los judíos de España y Portugal* (Madrid, 1875–6); 2:150 ff.; *Ordenamiento de Alcalá*, 150–3; Baer, *Die Juden* 2:81–7 (his is the most inaccurate text, and although he—or whoever actually copied it for him—cites the BN. MS, it is doubtful if he ever actually saw it). The MS is Madrid, BN "Colección Burriel" 13089. The complete accurate text will be published in my forthcoming book.

<sup>53</sup> See also an important new series of documents published by José Ramón Magdalena Nom de Déu, "Impuestos de las aljamas hebreas de Aragón entre 1339 y 1407," *Anuario de filología* 9 (1983): 151–2.

the extensive collection of documents published by the renowned historian Suárez Fernández, all of which demonstrate exactly the opposite. The reality is that nothing whatever changed with regard to Jewish status, or the Monarch's understanding of their essential role in protecting that status. Inasmuch as (*contra* Lea's assertion, for example, in his masterly history of the Spanish Inquisition) letters of Fernando alone are extremely rare, it is instructive to cite an unusual example, which demonstrates how far removed he actually was from the portrayal of him by these "historians." In 1478 there was a complaint by a Jew in the town of Ocaña (near Toledo,) that a certain Christian was attempting to take from him houses he had owned there for some twenty years. Fernando ordered the officials and judges to take note that the Jew held "peaceful possession" of the houses and a store, which were his "by just title according to the law," and to see that no harm or injury should come to him on penalty of a 10,000 *maravedís* fine.<sup>54</sup> Similar responses by the Monarchs to individual Jews as well as to whole communities could be endlessly cited. Only with regard to the long-standing controversy over "usury" of the Jews did they consent, at the *Cortes* of Madrigal (1476), to the enactment of restrictive legislation. In one important area, however, the right of Jews to act as lawyers, the *Cortes* of Toledo rescinded that privilege. In 1484 the Monarchs wrote to officials of Trujillo about a Jew, one don Mayr, who continued to serve as a lawyer (*abogado*) on the city payroll in spite of this prohibition. However, this prohibition applied only to the profession of law, whereby a Jew might represent Christian clients in a Christian court. No attempt was made to interfere with the rights of Jews to judge their own cases in their own courts (an exception was in April of 1492 in the city of Murcia where one Jew tried to bring a case against others before Christian officials and the Jews appealed to Abraham Seneor, chief judge of the Jewish *aljamas*, who prohibited it. The other Jewish litigant appealed to the king and queen that he could not obtain justice before the Jewish court, and they granted his appeal).<sup>55</sup>

It should be noted also that Jews still retained the power of capital punishment, unique to Spain, and even though the Catholic Mon-

<sup>54</sup> Pilar León Tello, *Judíos de Toledo* (Madrid, 1979) 2:doc. 634, pp. 83-4, (incidentally, there was no reason for her to insert "(sic)" in the phrase "*según derecho es*," which is perfectly standard medieval Spanish: "as is the law").

<sup>55</sup> Baer, *Die Juden* 3:no. 346, 379; Suárez Fernández, *Documentos*, 240-1.

archs did not like this, there was nothing they could do about it, even in the case of Jews putting to death a Christian (*converso*) informer (*malsin*; the Spanish word derives from Hebrew *malshin*). Baer's statement to the contrary is false, and is another indication of how little he read "his" own documents!<sup>56</sup>

### *Conclusions*

We have seen that, at least in medieval Spain, the concept of *servi camerae*, or of Jews "belonging" to the king, far from meaning that they were "serfs" (and much less "slaves") was an important legal formula intended solely for the protection of the Jews, and that it, in fact, conferred special privileged status upon them. From the earliest period, the laws established full equality for Jews, and this was a concept which was never abandoned throughout the Middle Ages in Spain. Jews in Spain enjoyed full and complete status of citizenship, had absolute freedom to move and live where they chose, and participated fully in such civic duties as defense and the maintenance and guarding of castles. Jews also not only had the right of representation and appeal in courts of law (where, incidentally, witnesses as well as judges had to include Jews), they in fact could and did serve as lawyers to represent not only themselves but also Christians or Muslims. As citizens, Jews paid taxes, but in general they paid the same taxes which other citizens paid, and there is absolutely no evidence that any unusual, or specifically "Jewish," tax burden was imposed, much less that Jews were used as a "sponge to soak up taxes." In sum, Jews of medieval Spain enjoyed a freedom and benefited from a status such as they would not again enjoy until well into the modern era.

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<sup>56</sup> Baer, *Die Juden*, no. 352; *History*, 2:491, n. 17. Many Hebrew words became part of standard medieval Spanish; see my "La lengua hebrea entre los cristianos españoles medievales: voces hebreas en español," *Revista de filología española* 71 (1991): 137-43.





## CONVERSION AND CO-EXISTENCE: THE FRANCISCAN MISSION IN THE CROWN OF ARAGON

*Jill R. Webster*

The cultural mosaic of the medieval realms of Aragon might seem to have provided the ideal opportunity for missionaries to convert the non-Christians to the Catholic faith. There were other considerations, however, that made this not only difficult to achieve but impractical and dangerous. The fall of Jerusalem to the Christians was the beginning of renewed attempts by the papacy to extirpate heresy and sponsor campaigns throughout the west to spread the Christian faith. The two largest mendicant orders, the Dominicans and Franciscans, were founded with this aim in mind. James I, who came to the throne at about the same time, soon engaged in a struggle to reconquer the territories occupied by the Moors since their invasion of the Peninsula in the eighth century. He realized that support from the papacy would give his struggles against the Saracens the semblance of a holy war or crusade. By employing Dominicans and Franciscans as chaplains, confessors, advisers and messengers he could ensure the Christianization of the resettled lands. It is against this background that ideas of conversion and co-existence in the Crown of Aragon should be seen for the role of the mendicant friars in their early years is inextricably bound with that of political expediency, giving rise to conflicting views within the Franciscan Order itself as the founder's ideals of humility and poverty seemed to be in danger of being overtaken by worldly considerations.

The founder of the Order of Friars Minor, St. Francis, like his contemporary, St. Dominic, saw in the heresies which troubled the south of France a challenge and threat to Christendom. He placed emphasis on the importance of the Catholicity of the friars, exhorting them to preach the word of God to the Saracens and other non-believers. Indeed the Majorcan tertiary, Ramon Llull, explains that as, and when, the non-Christians are converted to the true Gospel, the world will gradually take on the semblance of the City of God advocated by Saint Augustine. Was this what James I envisaged when he started his crusade? Did he conceive of an ideal political realm in

which Christendom had triumphed over its enemies? Llull and many of the early friars practised this life of proselytism in North Africa but many died for their faith. For them the ultimate goal was the salvation of souls and the conversion of the Saracens to Christianity. They are the first Franciscan missionaries and martyrs. Despite the seeming irrelevance of their activities outside the Iberian Peninsula to events within the Crown of Aragon which are the prime consideration of this study, the ideals that inspired them and the fate suffered by many of the friars are directly replicated in the early years of the Crown of Aragon.

It is true that the early Franciscan and Dominican missionaries first focused their attention on Africa where they hoped to make many converts to the Christian faith; Africa, after all was the gateway to the East and greater ventures, and it was not long before relations between the friars and the non-Christians extended beyond Africa to the Far East and China where from 1245 Franciscan missionaries sought the kingdom of the legendary Christian ruler, Prester John of the Indies. By the fourteenth century this need to find Prester John was superseded by the desire to find the original site of Paradise, a hint perhaps of future millenarian tendencies which led to a split in the Franciscan Order. Both the Franciscans and the Dominicans established houses in the Near East, North Africa, the Holy Land, Syria, Aleppo, Damascus, Baghdad, Tunis and Morocco and their missionary work received the blessing of Innocent IV who proclaimed a crusade against the Tartars who were threatening the Hungarian kingdom.

Evangelization of non-Christian communities was no new idea but the method St. Francis advocated was indeed new. Instead of war, conquest and forced conversion, his friars were to engage in peaceful dialogue with the unbelievers and guided by charity and love lead them to a recognition of the truth of the Christian gospel. Dialogue, however, was only possible in lands where the missionaries were able to communicate orally and frequently they were obliged to resort to interpreters to pass on their message. The fact that some of these interpreters deliberately or inadvertently conveyed the opposite meaning of the words they heard did little to help the missionaries with their task, and at times placed them in life-threatening situations. Later missionaries were to attend schools like that set up by Llull in Majorca so that they could preach and converse with those they hoped to convert. Not surprisingly, the concept of peaceful proselytism

was incomprehensible to many of the peoples the friars tried to convert and they construed the interest of these Christians in conveying the Gospel message as a danger to their wellbeing. The naivety of Francis can only be explained by his deep sense of spirituality for it had little to do with the world in which he lived, rent asunder as it was by wars, ambition and conflicting ideologies; or perhaps it was these very conflicts which suggested to him a new world order in which peace and persuasion were to replace war and compulsion.

It is thought that if St. Francis had not fallen ill on his visit to Spain he too might have continued his journey to Maroc; his mission to North Africa was, however, taken up by some of his companions, two of whom were martyred in Valencia by the Sayyid Abū Zayd who later converted to Christianity.<sup>1</sup> They were probably the first of many early missionaries who suffered martyrdom at the hands of the Saracens while others, captured by them, were subjected to harsh treatment by their captors. In 1256, for example, two Franciscans, Fr. Ramon de Castelló and Fr. Bernat Ferrer, papal nuncios who had been licensed by the Bishop of Maroc to preach to the Muslims, were captured and paraded through the streets like common criminals.<sup>2</sup> The complete inability to comprehend non-Christian peoples which characterized much of European thought in the thirteenth century led Pope Alexander to order the Archbishop of Tarragona to see that those who had captured the friars in Tunis were excommunicated.<sup>3</sup> Why was he so unaware of conditions in Tunis where Dominicans and Franciscans had preached to the Muslims, at least since 1234? Surely some missionaries had returned and given accounts of their adventures in North Africa? This incident merely emphasizes the chasm which divided East and West in the thirteenth century.

The topic is fascinating and speculation concerning knowledge of the East by Christian leaders worthy of more attention than is possible in a short study. The idea of mission bound up as it was with conversion could not have been so alien to peninsular rulers, nor could they have failed to perceive and encourage the seemingly conflicting attitudes of the friars and their contemporaries towards

<sup>1</sup> See Atanasio López, *La provincia de los frailes menores* (Santiago, 1915), 90.

<sup>2</sup> Tarragona, Arxiu del Patrimoni de la Mitra, *Cartoral de Benet de Rocaberti, S.XII-S.XIV*, Codex A.B., ff. 37r/v, 20 March, 1256.

<sup>3</sup> Pedro Sanahuja, *História de la seráfica provincia de Cataluña* (Barcelona, 1959), 80; López, 367-68.

the Saracens and the Jews within their territories. It seems clear that the peaceful co-existence of the three religions, with conversion to Christianity as an ultimate goal, was doomed from the start and suffered a series of reverses long before the Jewish pogroms of 1391–1392, the oppression of the Moors in Valencia early in the fifteenth century and the final expulsion of both communities from 1492 and 1501 onwards.

The identification of the Jews as responsible for the Crucifixion placed them in a worse position than the followers of Islam for against them could be laid the blame for the state of world, an attitude which rose to the surface as and when adverse economic, health or climatic conditions threatened the prosperity of Christian Aragon. Similarly, in the early fifteenth century, the presence of Moorish pirates in the Mediterranean constituted a very real danger to ships plying their trade along the coast of the Levant; commercial prosperity was placed in jeopardy and it was not impossible that the Saracens could plan to reconquer the lands they had lost to the Christians. This was a problem which was not solved by expelling the Moors although it did much to prevent easy contacts being established between those who lived within the territories of the Crown of Aragon and the Saracens of North Africa and the eastern Mediterranean.

Meanwhile, new ideas penetrated the Order of Friars Minor from the latter half of the thirteenth century and became more prevalent during the crises of the late Middle Ages; the views of the Spirituals or followers of Joachim da Fiore and Petrus Olivi were accepted by many who shared their belief that the Order had forgotten the message of poverty and simplicity advocated by St. Francis and that as the millennium approached it was increasingly imperative to intensify efforts at conversion of non-Christians. As part and parcel of this message of a return to the early ideals of their founder the Spirituals encouraged renewed efforts to convert the Muslims whom they saw as the main enemy of the Christian religion. While in some ways this seems to contradict the firm convictions they held about the Jews, in essence it does not do so. The concern they felt for the salvation of the Jews was mitigated by their belief that on the last day the Jews would accept the Christian gospel and be saved from eternal damnation whereas the Muslims had no such hope and would be eternally damned.

The ideas of the Spirituals gathered even greater momentum after the Black Death of 1348 but it was towards the Jews that they di-

rected all their efforts at conversion. Jean de Roquetaillade preached that the end of the world was at hand and urged the friars to intensify their efforts to bring the Jews to accept the Christian faith directly profiting from the popular view that the Jews were in some measure responsible for bringing the plague to the Peninsula. The impending sense of doom which accompanied Jean's apocalyptic ideas helped to intensify the already troubled relations between the Christians and the Jews. The sermons preached in the last decades of the fourteenth century so inflamed the populace that they reacted violently and many Jews were massacred in the pogroms of 1391–1392. There were of course many other latent causes of animosity which surfaced during the terrible deeds perpetrated against the Jews during the last decade of the fourteenth century but they have been recorded elsewhere.

Jews frequently held prominent and influential positions at the royal court or in merchant circles and were important to the Crown which had to weigh the balance carefully between losing their considerable expertise and preventing their possible disruptive influence on the unity of Christendom. This is most clearly seen, perhaps, in the way in which the Crown intervened on their behalf when Franciscan sermons to the Jews provoked outbursts of popular fury against them, and threatened to erupt into full-scale religious riots.<sup>4</sup> The king, as defender of the faith, supported the friars in their attempts to convert the non-Christians but political expediency dictated protection of the Jews for their considerable importance to the economic well-being of the Crown. With this and the information supplied by recent studies of the extensive communities of Jews in the Crown of Aragon it is easier to understand why James I and the Archbishop of Tarragona ordered the confiscation of all copies of the Talmud and had them examined by the Dominicans and Franciscans, and why James II asked the Franciscan, Fr. Ramon de Mieres, to examine a Hebrew Bible and other books for possible heresy.<sup>5</sup> The presence of these books was a reminder that the Jews were a powerful group who must be kept under control and urged to convert to Christianity whenever possible.

<sup>4</sup> See Jill R. Webster. *Els Menorets—A History of the Franciscans from St. Francis to the Black Death (1348)* (Toronto, 1993) chaps. 1 and 3.

<sup>5</sup> Jeremy Cohen, *The Friars and the Jews: The Evolution of Medieval Anti-Semitism* (Ithaca NY, 1983), 80–1. Cohen gives his name incorrectly as Miedas.

It is generally thought that the Franciscans took no part in the papal Inquisition but there is evidence that they regularly supported the Dominicans and in rare cases even acted as inquisitors. This is especially significant in light of their declared policy of peaceful co-existence and conversion through persuasion rather than by force. As early as 1297–1298 many Catalan dioceses had Dominican inquisitors and they, together with the Franciscans, prosecuted those convicted of usury, a practice forbidden by both Old and New Testament theology, but as it was anathema to the Christian church it was commonly associated in the Middle Ages with the Jews. Jews who acted as money-lenders were able to charge high interest rates without fear of reprehension and thereby penalize the Christians and non-Christians who borrowed from them. In Vic, for example, the guardian of the Franciscans supported his Dominican contemporary in the process against Astruch, a worker in the See of Tortosa and Joan de Alzinet, a citizen of Tarragona both of whom were accused of usurious practices.<sup>6</sup> The Franciscans could perhaps claim that it was not conversion by force that they were advocating here but rather protection of the Christians from the sin of usury. Furthermore, the *jurisperitus* of Vic, Ramon Badia and the knight, Dalmau de Vilafranca, were authorized to look into usury in the diocese of Vic and were to be helped in their investigation by the Franciscan guardian who was expected to become involved in the inquisitorial process. Similar problems were said to exist in Huesca, Calatayud, Zaragoza and elsewhere in the Crown of Aragon and in all instances the Franciscan guardian or *lector* was involved in the enquiry. The formula of the documents concerning the enquiries was always the same and the main participants in the process included the Inquisitor of the Diocese, invariably a Dominican, one or more citizens, perhaps associated with the episcopal court, and the Franciscan representative, usually the guardian or other officer of the local house.<sup>7</sup> It is questionable whether the practice of usury alone concerned the Friars Minor as it would have been difficult to separate the possible conversion of the Jews from the practice of usury forbidden by the Christian Church. In all instances those accused were Jews as would have been expected in a trial primarily related to the practice of

<sup>6</sup> ACA, Cancillería real, R. 319, f. 20r, (19 March, 1297 [1298]).

<sup>7</sup> ACA, Cancillería real, R. 319, f. 24r pass.—documents from the year 1297 [1298].

usury; certainly in the mid-fourteenth century Franciscans were also involved in trials for heresy and while not as active as the Dominicans in hounding out victims, there is little doubt that they were frequently called upon by the Inquisition to attend and assist in such trials.

The royal document on usury refers to the usurers as “dogs”, a term frequently used to denote the Muslims and, of course, highly derogatory in nature. It is a term used by the sixteenth century Portuguese writer, Luis de Camões, in his *Lusiadas* when referring to the treacherous Moors encountered by the Portuguese discoverers on their voyage to India in the late fifteenth century and it is highly likely that the term “dog” was routinely applied during the Middle Ages to non-Christians when they were being vituperated for some infraction of the Christian code or were caught in a criminal act. In questions of usury there was profit to be gained by the friars and Franciscans received direct financial benefit from the fines collected from usurers; some of the money was put towards funds to help the poor, provide dowries for needy girls who were to be married and appropriately to redeem captives but nevertheless it suggests that the Franciscans’ participation in inquisitorial trials was not without a degree of self-interest.

Turning to the kingdom of Aragon as opposed to the realm as a whole, in 1330 in Borja, a small town to the west of Zaragoza, two Franciscans, Fr. Juan de Muro and Fr. Jaime de Ijar, were conducting a Jew, who was said to have converted from Judaism to Christianity, from Tudela in Navarre to Borja when they were set upon by a band of Jews who probably hoped to recapture their colleague.<sup>8</sup> Fortunately for the friars someone came to their rescue and prevented them from being stoned to death. It can only be supposed that the unfortunate *converso* remained in the hands of the Christians. Had the Franciscans forced conversion upon him and was this the reason for the vicious attack upon the friars? If so, this was scarcely the peaceful co-existence advocated by St. Francis nor was it gentle suasion. Whatever the reason, Alfonso III intervened on the friars’ behalf and ordered the Jews to pay a fine of 1,000 gold morabetins for infringement of the royal order protecting the mendicant orders on the public highways, a reversal of the situation some fifty years

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<sup>8</sup> ACA, Cancillería real, R. 524, f. 151r, (10 December, 1330).

earlier when the Crown had ordered the friars to refrain from arousing the populace against the Jews.

In the thirteenth and fourteenth centuries in the Crown of Aragon, the Franciscans were active in their attempts to convert the Jews by persuasion or, if necessary, by confrontational methods and, it seems, also to bring them back to the faith once they had lapsed into Judaism. It is as though they were determined to make converts at all costs regardless of the methods used. In this regard in 1359 the inquisitors of Castile and Aragon are required by the Papacy to help Father Bernat de Puig, a Friar Minor, and a teacher of Theology, deputed to act as inquisitor of heretics in the province of Provence.<sup>9</sup> Strong language is used to describe the *conversos* who have lapsed into Judaism *velut canes ad vomitum* and the inquisitor is to do everything possible to re-convert them. Fr. Ramon de Castres, the Franciscan Vicar-General in Sardinia, worked as an inquisitor of heretics from 1378 and was confirmed in his office in 1381 during the King's illness when all friars were enjoined to refrain from leaving their positions.<sup>10</sup> It is clear that the Franciscans were actively engaged in preaching to the Jews in the late fourteenth century and a sermon they preached in Puigcerdà was successful in leading a Jewish doctor, Master Juan Buitrago of Castile, to the sacrament of baptism.<sup>11</sup> Although this document is unique, it cannot have been the only instance of a Jewish doctor being converted as records indicate that the friars' sermons to convert the Jews were a permanent feature of medieval life. Despite the atmosphere of antagonism between Jews and Christians, Jewish doctors were frequently allowed to practise without fear of reprisals. Cresques Malet of Manresa is given permission in 1391 to live and work there for a year and is to be paid the princely sum of 10 gold Aragonese florins.<sup>12</sup> The doctors' special expertise made them valuable members of the community and as such they enjoyed a privileged position. Evidence of this is widespread and in the fifteenth century when the town of Puigcerdà had lost its hegemony as a commercial centre and lacked the money to keep up the standard of living to which it had become accustomed,

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<sup>9</sup> Vicente Beltrán de Heredia y Ruíz de Alegría. *Aportació al butllari de l'Estudi General de Lleida 1345-1460* (Lleida, 1986), doc. 15, p. 16.

<sup>10</sup> ACA, Cancillería real, R. 1665, f. 8r, (18 October, 1381).

<sup>11</sup> Puigcerdà, Arxiu Historic de la Ciudad, notaries Bernat Manresa and Guillem Font, F. 1374, f. 25v, (11 April, 1374).

<sup>12</sup> Manresa, Arxiu Històric Municipal, Manual Concilii, I-13, 1390-1393, (10 May, 1391).



it bemoaned the fact that medical men would not stay there.

In 1391–1392, however, the antagonism felt towards the Jews could not be contained and the massacres which ensued show how latent feelings could no longer be controlled in an era of economic depression, spiritual uncertainty and changing circumstances. The Papal Schism, the recurring epidemics of Plague, the earthquakes, the insecurity felt by all as prices rose and goods became scarce led once more to the search for a scapegoat. The Jews, as occurred after the 1348 plague, were the obvious victims and their behaviour again became suspect. The 1391–1392 pogroms provoked a further examination of the Hebrew books and Fr. Francesc Eiximenis, who was asked to perform this task, is clearly worried about the way in which they contain blasphemous material against Christ and the Virgin Mary.<sup>13</sup> This concern should be set against the proclamation of the dogma of the Immaculate Conception which had just been formally adopted in the Crown of Aragon, a belief which the Crown was determined to impose upon its subjects. The mendicant orders, above all the Carmelites and the Franciscans, held the Virgin Mary in special reverence in their devotions and emphasized her role as protector and intermediary between mankind and Christ and once again they were the ideal defenders of Crown policy.

Conversion, however, was not all in one direction as the case of the Dominican teacher at the *Estudi General* in Lérida, Fr. Ramon of Tàrraga, attests. In 1371 he was accused of crypto-Judaism and Gregory XI writing to the Archbishop of Tarragona and the inquisitor Fr. Nicolau Eimeric, orders them to bring him back to the Christian faith by making him “voluntarily” confess the errors of Judaism.<sup>14</sup> It is only possible to guess at the fate that awaited Father Ramón at the hands of the inquisitor for Fr. Nicolau was not known for either his tolerance or his humanity. By November of 1393 Fr. Nicolau had himself fallen into total disfavor and was regarded by the King as an enemy of the Crown because of his great cruelty and inhumanity to the Jews.<sup>15</sup> It is probable that the King’s concern lay in the harm the pogroms had done to the image of the Crown and the repercussions of Fr. Nicolau’s harsh treatment of the Jews rather than a real concern for his victims.

<sup>13</sup> See Francesc Eiximenis. *Lo Crestià*, ed. Albert Hauf (Barcelona, 1983), 10.

<sup>14</sup> Beltrán de Heredia y Ruíz de Alegría, *Aportació*, doc. 15, p. 16.

<sup>15</sup> ACA, Cancillería real, R. 1884, ff. 165r–v, (13 November, 1393).

In 1395 the Gerona Franciscan house was given fifty gold Aragonese florins from the funds generated by the trials for usury instigated by the Inquisition to redeem two of their number, Fr. Francesc Conill and Fr. Tomàs Roca, both of whom had been captured by the Moors and were still held prisoner.<sup>16</sup> The King, John I, ordered the money to be paid to Fr. Dalmau de Castlà, of the Gerona house, so that he could negotiate the release of the two friars. Early in 1396 the papal commissioners on usury and pious causes for the dioceses of Gerona, Barcelona and elsewhere were requested to pay the three sous per pound collected for this purpose, amounting to a total of one hundred gold Aragonese florins, and to apply it to the redemption of Fr. Francesc Conill.<sup>17</sup> He had been captured in Algeria and as the original collection was made prior to December 12, 1393, the date of a previous letter from the king, it can be assumed that Father Francesc had been a prisoner in the hands of the Moors for some years. The fact that his *confrere* is not mentioned again suggests that a worse fate had befallen him in the meantime or that he had been freed, or even perhaps that his turn for redemption would come later.

The early Franciscans had extended their missionary activities beyond the Iberian Peninsula and this contact between the Muslims and the Franciscans was formalized in the extension of the Catalan custody to the region inhabited by the Tartars known as Aquilonia, an area in modern Mongolia. There is no evidence as to when the province in Aquilonia was first established but the house at Tunis and the vicariate in Morocco must have provided a base for Franciscan missions in North Africa throughout the thirteenth and fourteenth centuries. The centrality of the Franciscan mission in the far-distant land of the Tartars is emphasized in a letter from Peter IV, the Ceremonious, to the Pope in which he refers to Fr. Francesc de Puig of the Order of Friars Minor who has converted and baptised Moors and is at present on a visit to the royal court, accompanied by two of his converts, Fr. Francesc of Arabia and Fr. Francesc of Tartary.<sup>18</sup> These two friars wish to return to Arabic-speaking lands and the king emphasizes the importance of this as they know both the country

<sup>16</sup> ACA, Cancillería real, R. 2023, f. 4v, (17 June, 1395).

<sup>17</sup> ACA, Cancillería real, R. 2023, ff. 27v–28r, (12 March, 1396 [1397]).

<sup>18</sup> ACA, Cancillería real, R. 1223, ff. 36r–37r, (5 March, 1374). See also Jill R. Webster, "El desconocido convento de Puigcerdà," *Archivo Ibero-Americano* 49 (1989): 176. Note that there is a misprint in line 6 and the words in parenthesis should be omitted.

and the language and he gives Fr. Francesc permission to accompany them. In 1379 Fr. Francesc Puig, chaplain to the Apostolic See, is recorded as having lived for some time as a hermit attached to the Augustinian monastery of Saint Julian in Argilers in the Province of Tarragona, and is asking the heir to the throne, Prince John, for permission to continue living there.<sup>19</sup> Five years later he is described as a member of the royal household and chaplain of the Apostolic See, and given a safeconduct.<sup>20</sup> There is little doubt that this is the missionary who, having returned from Tunis and probably now advanced in years, wishes to avoid the difficulties his Order is undergoing; the Provincial Minister of the Franciscan Province of Aragon, Fr. Tomàs Alzina, has just been removed from office by Pope Urban VI for espousing the cause of the Pope at Avignon and this has caused a division in the Order between the supporters of Rome and Avignon.<sup>21</sup> In 1391 in the chapter house of the Vilafranca Franciscan house Fr. Francesc Puig, now a very old man, is one of the signatories to an agreement between Fr. Tomàs Alzina, royal confessor, drawn up on behalf of the guardian and friars of the house and the confraternity of tailors and furriers.<sup>22</sup> A year later Queen Violant de Bar requests the pilgrim's staff which had been given to her by Fr. Francesc, suggesting perhaps that he has died.<sup>23</sup> Was this the staff he took on his missionary journeys? Had he given it to the Queen on his return to the Peninsula in the 1370s or was he forced to sell it in exchange for subsistence? It is unusual to be able to follow the career of a medieval missionary but if Fr. Francesc Puig is in any way typical of those who went to convert the Muslims, it is clear that they were held in high esteem by both Crown and Papacy and on their return frequently allowed special privileges. Many, of course, were killed or died in the lands to which they had gone as missionaries and of them there is no record.

Conversely, and in some ways inexplicably, some lay Christians

<sup>19</sup> ACA, Cancillería real, R. 1657, f. 133v, (9 September, 1379).

<sup>20</sup> ACA, Cancillería real, R. 1690, f. 52r, (11 December, 1384).

<sup>21</sup> ACA, Cancillería real, R. 1657, ff. 1v-2v, (29 August, 1379). It is clear that it was not long before he was reinstated in his office and in turn removed the guardians of Lérida and Vic, supporters of Urban VI, from their positions. See Sanahuja, *História*, 254.

<sup>22</sup> Sanahuja, 70.

<sup>23</sup> ACA, Cancillería real, R. 2050, f. 68v, (26 December, 1392). The fact that the staff was kept locked up in Queen Violant's chest in Barcelona shows that it was considered very valuable and had to be kept safe.

from the Peninsula embraced Islam and took up residence in North Africa. Some of them probably reverted to the faith of their fathers; in 1394 a certain prostitute by the name of Maria Castellana left Valencia for the land of the Saracens, renouncing her Catholic faith and embracing Islam, and the fine of twenty pounds she had paid to a notary of Valencia, Guillem Vallseguer, before her departure, was to be transferred to Fr. Francesc Planell of the Franciscan house in Valencia to buy bed coverings for sick friars.<sup>24</sup> Was she of Muslim parentage or had she decided to throw in her lot with the Muslims because her situation in Valencia had become impossible or because a wealthy Saracen had promised her a better life? Some of the missionaries were unable to resist the attraction of the Islamic faith; in some cases perhaps this was so because it offered a way out of a difficult or life-threatening situation. The best-known Franciscan convert to Islam was perhaps the Majorcan, Fr. Anselm Turmeda, whom legend suggests might have reconverted to Christianity before he died. There must have been others who did not return to the Peninsula once they had converted to Islam but their names have been lost in the annals of time.

By 1400 most of the lands occupied by the Moors had been reconquered by the armies of Aragon and Castile, and the Crown of Aragon had turned its attention to the pacification of Sardinia and the final extirpation of the Genoese and Pisans from that island which, although conquered by the Aragonese in the reign of Alfonso III (IV), was by no means resigned to the Aragonese and Catalan occupation. Here the concept of non-Christian (infidel) was extended to the Sards and even in the second decade of the fifteenth century a captured Sard was placed as a bonded servant in the Franciscan house at Vic for a period of six years and one day.<sup>25</sup> The concept of non-believer or heretic was, it seems, regularly applied to anyone as an enemy of the Crown but this is the latest known date on which a Sard was captured as an "infidel" and transported to Catalonia for safekeeping by the Franciscans during his six years and a day of servitude. This lends further credence to the idea that a united kingdom depended upon orthodoxy of both faith and political thought. The Sard and any other enemies of the Crown thus threatened the unity of Chris-

<sup>24</sup> ACA, Cancillería real, R. 1885, f. 107r.

<sup>25</sup> See Jill R. Webster, "La manumissió d'un captiu sard pels Franciscans de Vic—1422," XIV *CHCA*, (Sassari-Alghero, 1990), in press.

tendom and directly threatened the peaceful co-existence of loyal Christian subjects with their non-Christian neighbours. The fact that the Sard was sent to a Franciscan house only serves to emphasize the role the Franciscans played in supporting the Crown and maintaining religious orthodoxy; that they themselves at times deviated from this ideal seems to have helped rather than hindered the cause.

The way in which the Spirituals viewed Judaism and Islam makes it easier to understand Eiximenis's views on Muhammad, as that "shameful son of the Devil", an attitude which he shared with the Spirituals for whom he clearly had sympathy and one which was extremely useful to the Crown. Ramon Llull's College at Miramar to train missionaries for Africa was a short-lived experiment which only lasted a quarter of a century and was no more than a memory by the time Eiximenis wrote his Christian encyclopaedia a century later. It was never an integral part of the Franciscan structure, yet as late as 1398 King Martin recalled with nostalgia a plan which must once have been elaborated to enlarge the college from the original number of twelve Franciscans so that it could continue teaching the infidels.<sup>26</sup> He grants the property to Fr. Pere Rossell, an Augustinian hermit, commenting that the fact that it is empty is causing it to deteriorate thereby casting a slur on the efficacy of the Catholic Faith. Fr. Pere is to live there with twelve honest men of devout and good conversation who will say the divine office and thus convert the monastery to good use.

Another activity of the Franciscans is recorded and one which is closely connected with the idea of conversion and co-existence: at times the friars were entrusted with handing over money to those who were to engage in "holy" wars. King Martin, in writing to Juan Marçol of Barbastro who with some others is intending to go on a crusade, states in somewhat biblical language, that he wants to give to Caesar what is Caesar's and to God what is God's and is therefore sending thirty florins in care of the guardian of the Barbastro Franciscan house to help in the crusade against that shameful sect and the most unfaithful Muhammad.<sup>27</sup> If for any reason the crusade

<sup>26</sup> ACA, Cancilleria real, R. 2263, f. 124r, (10 October, 1398). In fact Llull's *Blanquerna* refers to thirteen Franciscans, the same number Eiximenis used when he conceived the plan of his Christian encyclopaedia, and later when he helped to found the convent of the Holy Spirit near Sagunto.

<sup>27</sup> ACA, Cancilleria real, R. 2192, f. 1v, (12 November, 1398).

is cancelled, which the King hopes will not be the case, Marçol is to return the money to the Franciscans.

Franciscans, like their lay contemporaries, employed Muslims for manual or semi-skilled work such as the cultivation of the garden or the more personal attendance on the friars in their capacity as barbers; in the 1330s the Zaragoza house had a Muslim barber whom Alfonso III (IV) granted exemption from payment of the tax levied on the Saracens as a reward for his services to the friars.<sup>28</sup> Many such workers, on payment of a sum sufficient to provide for their food and clothing, were also given the assurance that they would be maintained in their old age or infirmity. Extant documentation only permits limited speculation about the frequency of such contracts but it is quite probable that the majority of the manual workers hired by the friars in areas like Zaragoza and Valencia, where Muslim communities were extremely large, came from Muslim families.

In conclusion, therefore, missionary work overseas, while initially a priority of the friars, was later accompanied by preaching to the Jews who attended the synagogues and increasingly "persuasive" methods of conversion were employed; the friars involved themselves in the trials held by the Inquisition and tried to prevent the *conversos* from abandoning the Christian faith. They profited materially from the fines levied on usurers and those who broke the law. Although they were not so actively engaged in routing out the non-believers as the Dominicans, there is no doubt that they gave both moral and practical support to them. On the other hand, many Franciscan houses had Muslim servants or workers and some friars even came from Muslim or Jewish backgrounds. The most famous is, of course, the descendant of Sayyid Abū Zayd, but there are names, especially in the thirteenth and early fourteenth centuries in the Gerona house, which suggest Jewish parentage; they probably came from families who had converted from Judaism to Christianity. The very nature of the contacts between the friars and the non-Christians emphasizes better than anything else the intricacies of the cultural mosaic of the Crown of Aragon.

Conversion and Co-existence is a complex subject which ranges beyond the Iberian Peninsula and of which this study has merely touched the fringe; conversion was a two-way process and the Franciscan attitude towards non-Christians frequently ambivalent and con-

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<sup>28</sup> Webster, *Els Menorets*, chap. 5.

tradictory. Interaction between the friars and those they hoped to convert at times led to apostasy but this was only to be expected and may have impinged little on the success of their mission which continued unabated throughout the fifteenth century. In 1443 Pope Eugene IV proclaimed a crusade against Islam and asked the friars to help.<sup>29</sup> The idea of crusade had received new life with the discovery of new territories and once again, as in the time of St. Francis, the Franciscans set off to convert the infidels in the newly-conquered lands, a mission which they were to continue and expand in later centuries.

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<sup>29</sup> John H. Moorman. *A History of the Franciscan Order from its Origins to the Year 1517* (Oxford, 1968), 518.





## ISLAMIC SOCIAL STRUCTURES IN MUSLIM AND CHRISTIAN VALENCIA

*Mikel de Epalza*<sup>1</sup>

This brief essay pays tribute to Robert I. Burns, S.J., for his many contributions to the field of Islamic studies. Father Burns has explored in detail the interacting Muslim-Christian world of the thirteenth-century Kingdom of Valencia. Notable among his many scholarly achievements is the reconstruction of a medieval Muslim society. By analyzing those elements of Islamic Valencia which survived in the post-conquest period, Father Burns has resuscitated many features of the pre-conquest society of Eastern Islamic Spain and illuminated the process by which a proud and celebrated community adapted to its new surroundings under Christian domination.<sup>2</sup> The rich portrait which Father Burns provides of Mudejar Valencia—achieved by an exhaustive study of archival sources—is the crowning *fet* of his academic career and constitutes one of the monuments of medieval scholarship of this century.<sup>3</sup>

Rather than trying to summarize Burns's massive contribution in this field, abundantly reflected in his bibliography, this paper will investigate certain Islamic institutions which continued in existence after the Christian conquest. This subject has been the focus of research at the University of Alicante and of a collaborative project with Father Burns at the University of California, Los Angeles.<sup>4</sup>

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<sup>1</sup> I would like to thank Dr. Donald Kagay for the translation of the Spanish original.

<sup>2</sup> See R. I. Burns, "Los mudéjares de la Valencia de las cruzadas: un capítulo olvidado de la historia islámica," *SAH* 1 (1984): 15–34; "Muslims in the Thirteenth-Century Realms of Aragon: Interaction and Reaction," *Muslims under Latin Rule (1100–1300)*, ed. J. M. Powell (Princeton, 1990), 57–102.

<sup>3</sup> For the importance of the *aljama*, see M. de Epalza, "Les morisques, vus à partir des communautés mudéjares précédentes," *Les Morisques et leur temps* (Paris, 1984), 29–41.

<sup>4</sup> We have both co-directed a Programme of Cooperation Research of the Hispano-North American Committee for Scientific, Technical and Educational Development concerning "Social and Institutional Islamic Spaces in *Sharq al-Andalus* (Eastern Spain) before and after the Christian Conquest (Thirteenth Century)". Some conclusions of the American research partners have been published in the academic review *Sharq-Al-Andalus. Estudios Arabes [SAA]*. These works include: M. D. Meyerson, "The

The political units corresponding to the Christian kingdoms of Valencia and Murcia did not always exist as such in Islamic times. Yet, the cities of both Valencia and Murcia had already assumed the role of regional capitals. As such, they would be the basic jurisdictional urban centers of the later Christian jurisdictional areas of Valencia and Murcia. Yet, in Islamic times, a part of the geographical region under examination was called *Sharq al-Andalus*. This term was used in pre-conquest Arabic texts to designate the eastern portion of *Al-Andalus*, as Muslim Spain came to be called. Along the coast, *Sharq al-Andalus* approximately extended from Tarragona and Tortosa to Almeria. It also included the central zones of the present-day, autonomous communities of Valencia and Murcia, as well as the Balearic Islands ("The Eastern Islands of *al-Andalus*"), along with some neighboring territories in Albacete, Teruel and Huesca. This maritime region was highly significant from its location: it was the "Door to *al-Andalus*", the entry and exit point from the Iberian Peninsula from both the Mediterranean and the Islamic East.<sup>5</sup>

Valencia, the capital city of the Christian kingdom of Valencia, progressively evolved from its early existence as a simple Christian bishopric and Visigothic fortress at the time of the Islamic Conquest.<sup>6</sup> By the eighth century, however, it still remained only a destroyed coastal site, "the city of mud".<sup>7</sup> Under the Umayyad dynasty, it was a capital city of a "judicial district"; in the eleventh century, it emerged as the capital of a *ṭāʾifa* state and then as the regional center of government for Valencia and Murcia under the rule of the Almoravids.

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War against Islam and the Muslims at home: the Mudejar Predicament in the Kingdom of Valencia during the Reign of Fernando 'El Católico'," 3 (1986): 103-13; C. R. Backman, "Mudejars in the Criminal Laws of the *Furs de Valencia* under Jaime I," 4 (1987): 93-9; R. I. Burns, "Príncipe almohade y converso mudéjar: nueva documentación sobre Abu Zayd," 4 (1987): 109-22; C. Davis, "The mudejars of the Crown of Aragon in the early documents of Jaume de Conqueror (1218-1227)," 4 (1987): 123-9; W. C. Stalls, "Aragonese *Exarici* in the Twelfth Century: Their Status and Conditions of landholding," 4 (1987): 131-44; R. Zayd, "The Muslim/Mudejar in the *Cantigas* de Alfonso X El Sabio," 4 (1987): 145-52.

<sup>5</sup> See M. de Epalza, "Notas sobre el lingüista Ibn Sidah y la historia de Denia y su región en el siglo XI," *Revista del Instituto de Estudios Alicantinos* 33 (1981): 161-72; "Los beréberes y la arabización del País Valenciano," *Quaderns de Filologia. Miscel·lània Sanchis Guarner*, (Valencia, 1984), 91-100; "Costas alicantinas y costas magrebies: El espacio marítimo musulmán según los textos árabes," *SAA* 3 (1986): 25-31; 4 (1987): 45-8; M. J. Rubiera, *La taifa de Denia* (Alicante, 1985); M. J. Rubiera and M. de Epalza, *Xàtiva musulmana (segles VIII-XIII)* (Xàtiva, 1987).

<sup>6</sup> M. J. Rubiera Mata, "Valencia en el pacto de Tudmir," *SAA* 2 (1985): 119-20.

<sup>7</sup> M. J. Rubiera and M. de Epalza, *Xàtiva*, 48.

It subsequently fell under the rule of the Banu-Mardanix clan (1142–72) and then the localized control of the Almohads. Its last ruler before Christian reconquest was the final sovereign of the Banu-Mardanix clan (1228–38). Valencia was thus geographically and historically predisposed to become the political capital of the new Christian kingdom created by King James I, one of the many realms under his control. Thus, all these historical vicissitudes must be kept in mind in order to understand the transition from Islamic *Sharq al-Andalus* to the Christian *Kingdom of Valencia*.

With the above section, the historical framework of *Sharq al-Andalus* has been laid out in broad terms. For more particular details, the reader may turn to the research of other scholars.<sup>8</sup> To clarify how this region was ruled before the Christian reconquest, we must utilize the work of a Valencian politician of the twelfth century. In the biographies he penned, Ibn-al-Abbar was quite consistent in his use of administrative terms. From his invaluable work, we have been able to classify the towns of the present-day Valencian territory into three categories: (1) two regional capitals (Valencia and Murcia); (2) several capitals of an area or *ʿamal* (a taxation district) which were dependent on the larger cities; and (3) a number of “hamlets” (*alquerías*; *qarya*) and “small villages” (*mawdi*), which were dependent on the area capitals. There also existed a number of “frontier territories” (*thughūr*), north and east of Valencia, and an assortment of “judicial districts” (*kūra*), which differed from the administrative and geographical units of an earlier period.<sup>9</sup> This “territorial arrangement” was in place during the Almohad period, just before the Christian conquest. Just how much it owed to the government of the Banu-Maradanix or to that of the Almoravids, and how much it derived from earlier administrative networks is not clear. Several works have been written about the cities of *Sharq al-Andalus*, claiming that these settlements were the indigenous foundation of Valencian territory. The most important of these deal with the cultural, social and administrative background of Denia<sup>10</sup> and Játiva,<sup>11</sup> respectively. Other local studies, which have

<sup>8</sup> J. Vallve Bermejo, “La cora de ‘Tudmir’ (Murcia),” *Al-Andalus* 27 (1972): 145–8; E. Molina Lopez, “La Cora de Tudmir segun al-ʿUdri (siglo XI). Aportaciones al estudio geográfico descriptivo de SE peninsular,” *Cuadernos de Historia del Islam* 3 (1972): 1–115.

<sup>9</sup> M. de Epalza, “L’ordenació del territori del País Valencia abans de la conquesta, segons Ibn-al-Abbar (segle XIII),” *SAH* 5 (1988): 41–67.

<sup>10</sup> Rubiera Mata, “La taifa de Denia”.

<sup>11</sup> Rubiera Mata and Epalza, “Xativa musulmana.”

either appeared or are under preparation, deal with the following sites: Benissa,<sup>12</sup> Ontinyent,<sup>13</sup> Orihuela,<sup>14</sup> Petrer,<sup>15</sup> Ondara,<sup>16</sup> Alicante<sup>17</sup> and others.<sup>18</sup>

In regard to the urbanization of Muslim Valencia, the elaboration of an "operative model" of the Muslim urban structure has perhaps been the most significant and promising project carried out by the joint research team of Spanish and American scholars—the most important of whom is Father Burns.<sup>19</sup> This "operative model" is a group of elements from pre-conquest, Andalusian society, and has been compiled from the study of distinct Muslim spatial habitats. These include spaces used for military, religious, political, irrigational, commercial or craft purposes. They usually bear the same names in every Muslim settlement from the big cities to the smallest *alqueria* or hamlet. Numerous samples taken in modern Valencia and in other Spanish regions, which are fairly easy to locate in surviving sites, have made it possible to check the validity of this "operative model" which is itself designed to show how such spatial relationships interacted.<sup>20</sup> By the use of the model, the patterns of life inside and outside Muslim urban sites can be better understood.<sup>21</sup>

<sup>12</sup> M. J. Rubiera Mata, M. de Epalza, et al. *Mil·lenari Benissa* (Benissa, 1987); M. de Epalza, "Elementos árabes en el urbanismo de Benissa," in *Revista de Fiestas* (Benissa, 1985).

<sup>13</sup> F. Franco Sanchez, "L'urbanisme musulmà d'Oninyent," *Ontinyent. Estudis i Documents* 5 (1989): 23–7.

<sup>14</sup> F. Franco Suarez, *Estudio de los espacios urbanos de la ciudad de Orihuela en el período islámico* (Alicante, 1989); "El espacio del agua en la ciudad de Orihuela en época islámica," in *Agua y poblamiento musulmán* (Benissa, 1989), 33–53.

<sup>15</sup> M. de Epalza and E. Galdon, *750 anys. Civilització trencada: l'Islam valencià* (Valencia, 1989), 33–4.

<sup>16</sup> M. de Epalza, "Ondara, una capital comarcal d'època àrab," in *Ondara. Festes Majors* (Ondara, 1990); "La estructuració comarcal de La Marina d'Ondara en època àrab (textos i tipònims)," *Aiguats*, (Denia, in print); "La ciutat àrab i l'estructuració dels seus topònims: el cas d'Ondara (Marina Septentrional)," in *Societat d'Onomàstica. Butlletí Interior*, (Barcelona, in print).

<sup>17</sup> M. de Epalza, "Alacant àrab i els seus mercats," in *Revista de Fiestas* (Alicante, 1989).

<sup>18</sup> F. Franco Sanchez, "Estudio comparativo del urbanismo islámico de seis poblaciones de la Vía Augusta: Sagunto/Xàtiva/Orihuela, Ontinyent/Bocairent/Beneixama," in *La Ciudad Islámica*, (Zaragoza, 1991), 353–75.

<sup>19</sup> M. de Epalza, "Un modelo operativo de urbanismo musulmán," *SAA* 2 (1985): 137–49; idem, "Espacios y sus funciones en la ciudad árabe," in *La Ciudad Islámica*, 9–30.

<sup>20</sup> de Epalza and Galdon, *750 anys*.

<sup>21</sup> M. de Epalza, "La mujer en el espacio urbano musulmán," in *La mujer en Al-Andalus. Reflejos históricos de su actividad y categorías sociales*, ed. M. J. Viguera (Madrid-Sevilla, 1989), 53–60.

There have been many applications of the "operative model"<sup>22</sup> and the results of this work have been published in the journal *Sharq al-Andalus* and in other monographs.<sup>23</sup> This approach has been extremely important to archaeological investigations, since it enables one to "read" the urban plans; that is, to find the different types of spatial patterns and then to look for material remains which confirm the Islamic titles given to such areas.<sup>24</sup> Though Muslim cities and towns were deeply affected by the Christian conquest, they still bear the imprint of their former history despite the centuries of change brought on by Christian town-planning. Sites which have lived under Christian control for five-hundred years can thus give clear evidence of what their existence under Muslim control must have been like.<sup>25</sup> A key clue in this detective work, which is currently the subject of another international colloquium, is the structure of water flow and its use in Christian towns which, followed much the same patterns in Muslim Spain.<sup>26</sup>

When the socio-geographical spaces of pre-conquest *Sharq al-Andalus*

<sup>22</sup> M. de Epalza, "Etudes d'éléments urbanistiques d'Al-Andalus," *Les Cahiers de Tunisie*, 25 (1986): 137-8.

<sup>23</sup> M. J. Rubiera, "El vocablo árabe "sikka" en su acepción de vía y de sus posibles arabismos en la toponimia hispánica: Aceca, Seca y Villa Seca," *SAA* 3 (1986): 129-32; M. Bevia, "Bovalars, carns i rafals: la Casa del Rafali d'Alacant," *SAA* 2 (1985): 115-7; idem, "Los restos arquitectónicos de la puerta de Medina Laquant," *SAA* 3 (1986): 133-45; E. Garcia Garijo, "La Alcoraya: un espacio histórico agrícola y vial," *SAA* 4 (1987): 153-8; A. Ferrando i Francés, "Interés histórico-geográfico i toponímic Almodóvar d'un informe militar sobre la Serra d'Espadà (1561)," *SAA* 5 (1987): 153-62; A. Garcia Menarguez, "Sobre la localización del topónimo Almodóvar en la desembocadura del Segura," *SAA* 6 (1988): 149-60; M. Garcia Sempere, "Algunes possibles topònims àrabs a la partida de Bacarot (municipi d'Alacant)," *SAA* 7 (1990): 171-4; E. Garcia Garijo, "La alcoraya alicantina y las alcorayas baleáricas," in *Les Illes Orientals d'Al-Andalus* (Palma de Mallorca, 1987), 165-72.

<sup>24</sup> S. Gutiérrez, "Elementos del urbanismo de la capital de Mallorca," in *Les Illes*, 205-24.

<sup>25</sup> M. de Epalza, "Structure des espaces dans l'urbanisme musulman et sa survivance à l'époque chrétienne en Espagne," in *VII Convegno 'La Città Islamica'* (Rome, 1991); idem, "Mutations des mosquées en églises et les traces de ces mutations dans le réseau urbain en Espagne," in *VII Convegno 'La Città Islamica'* (Rome, 1992).

<sup>26</sup> M. de Epalza, "Note sur l'eau dans les recherches sur l'urbanisme musulman en Espagne," in *L'eau et la culture populaire en Méditerranée*, ed. J. L. Miegge, M. Perney, Ch. Villain-Gandossi (Aix-en-Provence, 1989), 23-5; F. Franco Sanchez, "Noticias de época islámica sobre inundaciones fluviales en el Baix Vinalopó y en la Vega Baja del Segura," in *Avenidas fluviales e inundaciones en la cuenca del Mediterráneo* (Alicante, 1989), 375-94; M. de Gea Calatayud, "Sistemas de captación y distribución de agua de probable origen árabe en Albatera y Crevillente," *SAA* 7(1990): 175-94; idem, *La fundación de Madrid y el agua en el urbanismo islámico y mediterráneo* (Madrid, in print).

are studied, it becomes clear that a specific relationship between the city and the country emerged at a very early stage, and that this occurred because of the dichotomy between the two regions—a fact emphasized by modern authors and medieval Arabic “sociologists” alike. These elements are clearly complementary, though the country was somewhat subordinated to the city. This was so because of the military authority exerted by urban authorities and the amount of land held by town residents. Indeed, the political authorities in the cities controlled the roads and defensive systems, while absentee land-owners generally monopolized the agricultural wealth of the countryside. Such absenteeism signalled an urban domination which manifested itself through the control of production, profit, transport and technical innovation. The city stood as the engine of such agriculture by the demand it exerted, the technical knowledge it acquired, the transport system it imposed and the needs it dictated by the laws of variable exchange. In particular, this situation explains the specialization of some products in the history of *Sharq al-Andalus* (namely, saffron, esparto, silk, draught animals, etc.) and also shows the root cause of the region’s flourishing agriculture and economy.<sup>27</sup> An eleventh-century text, which has been analysed by Professor María-Jesús Rubiera, clearly reflects the state control of agricultural production, and, by extension, the domination which the city exerted over the countryside.<sup>28</sup> In respect to the rural districts themselves, current research has centered on the *alquerías* or hamlets which, though existing in Christian times, had a clear Muslim provenance in the Arabic term *qarya*, pl. *qurā*. In this case as well, the Christian conquest and the provisions made by the new authorities changed the Islamic reality of *Sharq al-Andalus* in line with the new rulers’ demands. Such a change must have come into being quickly, almost simultaneously, with the replacement of political power, since all subsequent societal changes depended on it. Such alterations have been studied with the publication of the books of “partition” (*repartiment*). This set of documents has to be analyzed from a particularly critical point-of-view if one wishes to draw from it a knowledge of the different societal terms of Valencia’s Muslim era, even though all of these bore Arabic names.<sup>29</sup> As a set of cadastral documents, the *repartiment* attempted to

<sup>27</sup> For explanation of this structure, see Rubiera and de Epalza, *Xàtiva musulmana*.

<sup>28</sup> *Ibid.*, 60–1.

<sup>29</sup> *Ibid.*

establish a new class of landowners and only referred to preceding Islamic societal elements in terms of the new Christian order. It must be stated, then, that the *alquerías* or hamlets—the *qarya* of Islamic times—existed only as population units; they were *pueblos* or small towns, which served as centers of rural population. They did not seem to act as units of production, although they did function as fiscal units, dependent on the “area capital” or *‘amal*.<sup>30</sup>

Another important societal norm in Islamic times, which has left numerous traces within the toponymy of Christian Valencia was that dedicated to cattle raising. These elements were maintained in such terms as *albacares* and *rahales* (*raal* in Spanish; *rafal* in Catalan). The Arabic etymology of these words also confirms their connection with cattle raising. The *albacar* was a vast, though secondary, enclosure in some fortresses, which was sometimes (significantly) called the “yard of the fortress” (*corral de la alcazaba*). Its function was mainly to pen up and hold herds which were obtained through taxation, and were thus put directly under the control of the local agent of the person who had full jurisdiction over the fortress.<sup>31</sup> The castle’s role as refuge was unusual in Islamic times, but after the Christian conquest the defensive value of this part of the fortress was reinforced. As a result of such changes, the military and livestock-maintenance function of the castle altered. The *rahal* was also a spatial unity which emerged from the land outside cities used for cattle raising.<sup>32</sup> In the agricultural “irrigated and cultivated plains” (*huertas*), the *rahales* were fenced enclosures which kept cattle from grazing among and destroying crops. As a toponym, it is found at the entrance of cities or in the surrounding territory which was largely given over to pastoralism.

Agricultural land outside of cities retained the tenurial terminology. The most important of these terms were “field” (*campus*) or its diminutive “minor sections of autonomous land” (*campello*). These terms persisted into Islamic times with the Arab-Mozarab form *fahs* and *campello*. As their etymology indicates, they were large agricultural

<sup>30</sup> See above, note 9.

<sup>31</sup> M. de Epalza, “Funciones ganaderas de los albacares en las fortalezas musulmanas,” *SAA* 1 (1984): 47–54; M. Bevia, “L’albacar musulmà del castell d’Alacant,” *SAA* 1 (1984): 131–40; C. Gonzalbes Gravioto, “Notas sobre las funciones del albacar en las fortificaciones del Norte de Africa,” *SAA* 4 (1987): 199–202; J. L. Saez Castan and M. de Epalza, “Un nuevo texto mallorquín de Az-Zuhri y ganadería en las Baleares,” in *Les illes*, 47–53.

<sup>32</sup> M. J. Rubiera Mata, “Rafals y raales: raval y arrabales; reals y reales,” *SAA* 1 (1984): 117–22.

spaces dependent on the city, but not at all attached to its territory, as were the *huertas* or *vegas*. The important zones of *fahs* in Granada, Seville, Tangiers or Tunis were well-known in medieval Arabic times. But the function of many smaller Andalusian *alfás*—for example, those of Alicante, Castalla, Pedreguer, Altea, Orihuela, Lerida, Huesca, Madrid, etc.—has not been thoroughly assessed.<sup>33</sup> Though the toponymy of these places has not remained unchanged, the linguistic and geographical analysis of them enables us to better understand the spaces outside cities.<sup>34</sup>

Used to label spatial units and designate their functions, toponymy is not only enriched by the attachment of an ancient name to a certain site, but also then permits the completion of a study of the place-name's philological evolution through an analysis of its semantic load. The toponym becomes a historical document which is critically reviewed in order to mark the exact boundaries of a site as it existed in an earlier age. This place-name documentation is very often the only remaining source for getting at the history of many rural regions in Arabic times which have left no other remnants. This is the case in the area of Alicante's Marina Baixa, which has recently been successfully studied by this method. This explains the interest in gathering and studying pre-Arabic and Arabic toponyms in Valencia.<sup>35</sup> Toponymic studies of this sort have been published in local journals,<sup>36</sup> in the *Butlletí de la Societat d'Onomàstica*<sup>37</sup> and as a

<sup>33</sup> M. de Epalza, "La dualidad *Campello-Fahs* en el espacio agrícola de Al-Andalus (Alicante, Castalla, Pedreguer, Madrid)," *SAA* 4 (1987): 159–73; idem, "El binomi àrab-mossàrab al-Fahs/El Campello, a Lleida," *Societat d'Onomàstica. Butlletí Interior* 35 (1989): 32.

<sup>34</sup> M. J. Rubiera and M. de Epalza, *Los nombres árabes de Benidorm y su comarca* (Alicante, 1985).

<sup>35</sup> J. L. Roman del Cerro and M. de Epalza, *Toponimia mayor y menor de la provincia de Alicante. Listado por municipios* (Alicante, 1983); A. Galmes de Fuentes, *Toponimia alicantina (Oronimia)* (Alicante, 1991); M. J. Rubiera and M. de Epalza, "Estat actual dels estudis de toponímia valenciana d'origen àrab," in *Xe Col·loqui General de la Societat d'Onomàstica. Ier d'Onomàstica Valenciana* (Valencia, 1986), 420–6.

<sup>36</sup> M. J. Rubiera Mata, "Significación de algunos topónimos árabes de Aspe," *La Serranía* 36 (1982): 17–8; idem, "Toponimia arábigo-Valenciana: falsos antropónimos beréberes," in *Questions de Filologia. Miscel·lània Sanchis Guarner*, (Valencia, 1984), 317–20; idem, "El Baix Vinalopó durant l'època àrab," *La Rella* 6 (1988): 49–56; M. de Epalza, "Cecentaina en los textos árabes," *Revista de Festes* (Cocentaina, 1987); idem, "Topònims àrabs a Alacant i a Malta: Benissa d'Alacant i Benghixa de Malta," *Canalobre* 12/13 (1988): 196–8; idem, "La Vall d'Albaida musulmana," *Estudis i Documents* 4 (1988): 17–24; idem, "Almúnia: el seu significat en època àrab," *Antistiana* (La Ràpita, 1990), 3–6.

<sup>37</sup> M. De Epalza, "Mutxamel/Muchamiel (Alacant): Origen aràbic d'aquest topònim," *Butlletí* 16 (1984): 15–7; idem, "Origen de Raimat," *Butlletí* 25 (1986): 137; idem, "El significat etimològic de Petrer: camí empedrat," *Butlletí* 31 (1988):



special section of the review *Sharq al-Andalus*, entitled Arabic Toponymy.<sup>38</sup> It is particularly interesting to study all the Arabic place-names in an area since they are complementary and indicate a general configuration of urban and extra-urban space. This methodology has been especially fruitful in the Catalan district of Penedes, where a general, though hitherto unknown, Arabic political and economic structure has been discovered.<sup>39</sup> This same method has been utilized to assess geographical distribution among the *rābitas* of Catalonia.<sup>40</sup>

While place-names can allow us to see aspects of Arabic society, the study of water use and the structures it dictated are as important for the understanding of pre-conquest Valencia. A number of studies, emanating from conferences in Benissa, Alicante,<sup>41</sup> Zaragoza and Madrid,<sup>42</sup> have focused on the structure of Islamic cities, as indicated by their water use. In this regard, we must start with the initial principle that every Muslim population center had certain religious water needs; that is, for the mosque and for the "hot bath" (*hammām*). Water was also necessary for the domestic, hygienic, craft, agricultural, and pastoral needs of the city's general populace. A stream of clear water would thus enter the city from the high ground. It would seldom reach the military citadels of the town, but would rather be diverted to the major mosque, which was located in the center of the town and then to the other mosques. It would power a number

10-1; idem, "Els mossàrabs valencians i els topònims derivats de 'kanisa' 'àrab,'" in *Miscel·lània d'homenatge a Enric Morey-Rey*, 2 vols. (Montserrat, 1988), 2:149-53.

<sup>38</sup> J. M. Rubiera Mata, "Els topònims aràbigos-catalans del Baix Segura," *SAA* 6 (1989): 159-60; M. de Epalza, "Estudio del texto de Al-Idrisi sobre Alicante," *SAA* 2 (1985): 215-32; "El Cid como antropónimo ('el Leon') y como topónimo ('el Señor o Gobernador Almohade)," *SAA* 7 (1990): 157-74; idem, "El Cid y los musulmanes: el sistema de parias-pagas, la colaboración de Aben Galbón, el título de Cid-León, la posadita fortificada de Alcocer," in *El Cid en el Valle de Jálón* (Zaragoza, 1991), 107-25; R. Pocklington, "Notas de toponimia aràbiga-murciana," *SAA* 3 (1986): 115-28; idem, "El emplazamiento de Iyi(h)," *SAA* 4 (1987): 175-98; idem, "Apostillas de hidronimia aràbiga-murciana," *SAA* 5 (1988): 153-67.

<sup>39</sup> M. de Epalza, "Toponimia àrab i estructura comarcal: El Penedès," *Societat d'Onomàstica* 40 (1990): 76-82; L. F. Bernabé and M. de Epalza, "Alcanar i la seva regió a l'època musulmana," in *I Congrés d'Història d'Alcanar* (Alcanar, 1990), 59-67.

<sup>40</sup> M. de Epalza, "Estudio Introductorio," in *La rābita islāmica: historia institucional* (San Carlos de La Rābita, in print).

<sup>41</sup> *Avenidas fluviales e inundaciones en la cuenca del Mediterráneo*, ed. A. Gil Olcina and A. Morales Gil (Alicante, 1989); R. Pocklington, "Observaciones sobre el aprovechamiento del agua torrencial para la agricultura en Murcia y Lorca durante la época árabe," *Murcia Musulmana*, ed. F. J. Flores (Murcia, 1989), 375-83; idem, "Toponimia y sistemas de agua en Sharq-Al-Andalus," in *Agua y poblamientos*, 103-14.

<sup>42</sup> *La fundación de Madrid y el agua en el urbanismo islámico y mediterráneo* (Madrid, in print).

of public fountains and then supply an abundant water supply for the baths at the lower end of the town. Its last application was its use by the polluting crafts (leather, pottery, dyeing, etc.), located either next to the city center or in the outskirts. Thus water in its many uses follows a relatively stable axial course for all centers of population, distributing and configuring specific spaces for its utilization. The examples of Palma de Mallorca and Madrid have been instructive in this regard. A recent monograph has dealt with baths in Arabic times in such Valencian sites as Alicante, Elx, Denia, Alcira, Valencia and Játiva.<sup>43</sup>

In addition to the study of the influence of water and other daily human needs on the shape of Muslim societies of Valencia, religion and the defense of it were also of great significance for such urbanization. The study of a common institution on the Muslim frontiers and along its coastline—the “spirituality of Islam’s defense” (*ribāt*)—has been favored by two factors: (1) the discovery of a group of *rābitas* in the *Almunastir* of *Sharq al-Andalus* (according to Yaquut Al-Hamawi), located in the dunes of Guadamar del Segura (Alicante) in 1984<sup>44</sup> and (2) the International Congress which convened in Sant Carles de la Ràpita (Tarragona) in 1989 which focused on the Islamic *rābita*. Among the most arresting aspects of this institution are its placement on the “Islamic frontier” (*thaghr*),<sup>45</sup> its link with the Christian institution of the *monasterion* (referred to as *al-munastir* in Arabic)<sup>46</sup> and the abundance of clusters of small, though connected, mosques which came to be known as *rābitas*. These correspond, in my view, to the configuration of the “cells” (*cellae*) in primitive Christian monasteries. Though the *rābita* possessed a sense of military spirituality, it

<sup>43</sup> *Baños árabes en el País Valenciano*, ed. M. de Epalza (Valencia, 1989).

<sup>44</sup> R. Azuar, “Primera noticia de los trabajos arqueológicos realizados en el yacimiento islámico de las dunas de Guadamar de Segura (Alicante). Una posible rābita de época califal,” *SAA* 2 (1985): 125–36; M. de Epalza “Al-Munastir d’Ifriqiya et Al-Munastir de Sharq-Al-Andalus,” in *Le patrimoine andalou dans la culture arabe et espagnole. Actes du VII Colloque Universitaire Tuniso-Espagnol* (Tunis, 1991), 95–106; idem, *La rābita califal de las dunas de Guardamar. Cerámica. Epigrafía. Fauna. Malacofauna* (Alicante, 1990).

<sup>45</sup> M. de Epalza, “El Islam aragonés, un Islam de frontera,” in *Turaso. El Islam en Aragón* 7 (1987): 9–21; idem, “Tortosa, un lloc estratègic a Al-Andalus,” 2 (1987): 13–5; idem, “Al-Andalus et le Maghreb. Frontière de l’Islam dans la conscience musulmane, médiévale et moderne,” *Horizons Maghrébins* 14–5 (1989): 28–32; idem, “La caiguda de València i altres caigudes d’Al-Andalus, segons l’obra en prosa d’Ibn-Al-Abbar,” in *Ibn Al-Abbar. Polític i escriptor àrab valencian (1199–1260)*, ed. M. de Epalza (Valencia, 1990), 19–42.

<sup>46</sup> M. de Epalza, “Constitución de rābitas en la costa de Almería: su función espiritual,” in *Homenaje al Padre Tapia. Almería en su historia* (Almería, 1988), 231–5.

hardly functioned as an efficient military unit. Upcoming archaeological projects and toponimic interest in the *ràbita* will thus surely lead to a fuller understanding of this religious and military space in *Sharq al-Andalus*.<sup>47</sup>

The mosque was the social nucleus which has effectively shaped the Islamic city. A full knowledge of its manifold roles is fundamental for any analysis of Valencian Muslim society. It is important to emphasize that most of the mosques in Islamic times, particularly those of the major Muslim neighborhoods or *aljamas* in the main towns, were transformed into churches immediately after the Christian conquest. Yet, these transformations would be carried out along guidelines that enable investigators to determine the situation and orientation of mosques, despite the changes wrought by the passing centuries. Thus, churches which were built on the sites of the old mosques, although maintaining few of the original Muslim features, did retain two original elements: (1) placement in the center of the town's road network and (2) the orientation of the right wall towards Mecca, which in Al-Andalus was S-S.E. Taking these principles into account, it must be evident that the study of churches in Valencian towns is extremely important for the reconstruction of urban structures in pre-conquest Valencia.<sup>48</sup>

While a Muslim religious strata is still to be seen in the sacred sites of Valencia's Islamic past, so the names of pre-conquest groups can be recovered from toponymy. It has already been seen that Arabic toponymy preserved in Christian Valencia is relevant as a historical source. The names of people or groups are relatively numerous among such toponyms and show the location of certain pre-conquest settlements. The dating of these Arabic names from toponymy of Christian times has great importance for Valencian historiography. Since many of these groups were of Berber origin, research has very often centered on the chronology of the Berber settlements and facilities in the region. In general, it must be concluded that the toponyms which persist in Christian documents refer to groups from immediately before the conquest. Corroborative evidence can be evinced to prove that such clusters belong to the era of full Muslim

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<sup>47</sup> A. Manent, "Les ràpites al Camp de Tarragona," *Serra d'Or* 374 (February, 1991): 114-5.

<sup>48</sup> R. Azuar Ruiz, "Las mezquitas en el ámbito rural," *Actas de las II Jornadas de Cultura Árabe e Islámica* (1980) (Madrid, 1985), 65-72.

domination. In addition, many of these toponyms were formed by the Christian conquerors themselves to give some order to their tax records.<sup>49</sup>

The reading of Burn's monographs and articles concerning the modifications of the Islamic institutions after the Christian conquest of Valencia allows us to better understand the capacity of Islam both in medieval and modern times to adapt to new circumstances. For this reason, the study of these matters is not only important because it enables us to travel through history, but it is also useful for the purpose of knowing a modern society composed of hundreds of millions of people.

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<sup>49</sup> M. de Epalza, "Topònims d'origen antroponímic àrab del temps de la conquesta (Cid, Busot, Benimassot, Massoda, Benissoda)," in *Societat d'Onomàstica. Butlletí Interior. XIVe Col·loqui. Alacant 1989* (Barcelona, 1991), 619–27.

## BERBERS IN VALENCIA: THE CASE OF IRRIGATION

Thomas F. Glick

The history of irrigation in medieval Spain has enjoyed a data explosion over the past ten years based on multiple studies by historians and archeologists.<sup>1</sup> In general, this work is descriptive and the historians who work in this area are not familiar with the vast social science literature on the social organization of irrigation and lack analytical frameworks. Medieval archeologists, on the other hand, have had to generate working hypotheses on the social organization of irrigation and its role in rural settlement in Islamic Spain, a subject for which the physical structures must be interpreted against the almost total lack of written documentation. The result of this research has been the emergence of a substantially new, comprehensive view of the role of irrigation in Al-Andalus which I will briefly summarize here.<sup>2</sup> Rural Islamic Valencia was organized in groups of small settlements, typically ten or so *alquerías* arranged around a castle—*hisn*—which served mainly a defensive purpose, but also (under specified conditions) may have played governmental roles (tax collection) as well. These *alquerías* were virtually all irrigated and formed separate entities, not linked up to form what Butzer and his colleagues call “macrosystems”. *Alquería* irrigation was smaller in scale, either organized in mesosystems (irrigated by galleries or surface canals from springs or small streams) or in micro-systems (wells and tanks).<sup>3</sup> Numerous archeological sites reveal a further pattern whereby the

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<sup>1</sup> For examples of the new irrigation history, see *El agua en zonas áridas: Arqueología e historia (I Coloquio de Historia y Medio Físico)*, 2 vols. (Almería, 1989), which include the acts of a pioneering meeting devoted to the subject. See also my bibliography “Historia del regadío y las técnicas hidráulicas en la España medieval y moderna. Bibliografía comentada,” *Chronica Nova* 18 (1990): 121–53; 19 (1991): 167–92; 20 (1992): 209–32.

<sup>2</sup> The association of *hisn/qarya* complexes with irrigation is the conclusion of four archeologists (Miquel Barceló, André Bazzana, Patrice Cressier, and Pierre Guichard). In the following summary, however, I follow the account of Josep Torró in two recent volumes, *Poblament i espai rural. Transformacions històriques* (Valencia, 1990), and *Alcoi. La formació d'un espai feudal (de 1245 a 1305)* (Valencia, 1992). I evaluate the new archeological literature with respect to irrigation in my book *Social and Cultural Change in Medieval Spain: Three Key Transitions* (in press).

<sup>3</sup> Karl W. Butzer, Juan F. Mateu, Elisabeth K. Butzer, and Pavel Kraus, “Irrigation

hisn physically controlled either the water source or the upstream sector of the irrigation system(s) of the surrounding *alquerías*. When the Christian conquest broke up the previous system of rural social organization and collective land tenure, there was a marked tendency for the previously distinct irrigation systems of the *alquerías* to be aggregated into the familiar Christian periurban *huertas*. Thus the medieval *huerta* of Alcoi, studied by Torró, was based on the pre-existing systems of a number of *alquerías* and the Ribera de Júcar, studied by Mateu, was in no way the site of the macrosystem generated there in the late thirteenth century with the construction of the *Acequia Real*. Rather the Christians had found only a multiplicity of *alquerías*, each with its own small irrigation system.<sup>4</sup> The same was true of the plain of Castellón; indeed the very existence of the great alluvial *huertas* such as those of Valencia and Murcia in Islamic times has not been documented and the case for a simpler organization based on *alquerías* can certainly be made.

The presumption of Guichard and others that *alquerías* with Benitonyms were Berber in origin leads quite naturally to the question of the nature of Berber irrigation. In what follows, I will discuss the new archeologically-generated view of rural settlement in Sharq al-Andalus and then examine the ways in which concept of Berber irrigation might be evaluated.

The controverted polemic over the nature and extent of Berber settlement in al-Andalus is perhaps understood by the fact that the Berbers had no written language and therefore did not leave any texts that were indisputably Berber in culture. Such written documentation as exists is in Arabic and therefore scholars must ineluctably deal in some way with the cultural and linguistic screen effect that this supposes. In addition, there intrude a number of ideological issues, not the least of which is the reluctance of Arab historians (whether medieval or modern) to grant much credence to any autonomous Berber culture. Archeological evidence is more value-free than are documents. Of course, its interpretation too is an obvious medium for ideological interference. But, in fact, it has proven very difficult when evaluating settlement patterns, housing forms, pottery

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Ecosystems in Eastern Spain: Roman or Islamic Origins?" *Annals of the Association of American Geographers* 75 (1985): 479-509.

<sup>4</sup> Joan F. Mateu Belles, "Assuts i vores fluvials regades al País Valencià medieval," in *Los paisajes del agua. Libro jubilar dedicado a profesor Antonio Lopez Gomez* (Valencia/Alicante, 1989), 165-85.

forms and styles, and so forth, to discriminate between "Berber" and "Arab" products. The "Arabophile" response to such difficulties, across the board, is "Of course, the Berbers in question were Arabized." Such assertions are typically undocumented and simply serve to perpetuate a view of acculturation romanticized in the Arabs' favor, as well as of a cultural and historiographical marginalization of the Berbers. The Berbers' historiographical paladins, on the other hand, also present a romanticized view, one dating back, in general terms, to the great generation of French Berberologists of whom Robert Montagne was the leading figure, which saw in the *qaba'il* a kind of pure tribal democracy, in contrast to the Mamluk-style despotism of modern Arab politics.<sup>5</sup>

Such ideological positions intersect with the predisposition of scholars to view evidence, not unnaturally, from the perspective of their professional cultures. The participants in the recent Berber polemics are historians, archeologists and Arabists. Each group has radically different criteria and standards of evidence. Historians will normally insist on documentary substantiation of a given hypothesis, although those influenced by cultural anthropology allow greater room for inference. Archeologists continually employ inferential hypotheses and are more willing to entertain probabilistic arguments. Arabists get particularly upset when historians introduce inferential arguments based on place- or personal names when the etymologies of such names cannot be demonstrated unequivocally.

### *Berbers in Valencia*

Pierre Guichard presumes the *Balad Balansiyya* to have been settled mainly by Berbers. This is an assertion which, in itself, is not surprising since Berbers settled in just about every region of the peninsula. Their settlements were predominantly rural, while Arabs tended to settle in the vicinity of towns. If, as many argue, Valencia was late to experience urbanization, this factor contributed to a picture of substantial Berber settlement, although such settlement may have been either a consequence or a cause of the lateness of urbanization. Historians have pointed to a late urbanization of Valencia, in

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<sup>5</sup> Pierre Guichard, *Estudios sobre historia medieval* (Valencia, 1987), 177, compares the rural communities of Sharq al-Andalus to those of the Kabylia.

consequence of depopulation in late Roman times. But some archeologists deny the seriousness and extent of the depopulation and an argument can be made for the continuing vitality of urban Valencia in the period just before the Islamic conquest, as a result of Byzantine stimulus to commerce.<sup>6</sup> Guichard takes the high incidence of Beni- place names (from Arabic, Banu, the sons of, the common way of naming a tribal segment or clan) as a *de facto* sign of Berberization but this is an inference based on an extrapolation from his own model of rural settlement, discussed below. There are numerous specifically Berber toponyms reflecting the settlement of Sanhaia and Zanata tribal segments but these are presumably late, referring to population movements in the wake of the Almoravid and Almohad invasions. María del Carmen Barceló has demonstrated that place names within a sixty kilometer radius of the city of Valencia are preponderantly Arabic, rather than Berber.<sup>7</sup> The proponents of the Berberization hypothesis make the easy identification between Berber settlement and the establishment of Berber social and political structures, but excuse the lack of specific elements of Berber culture by positing the rapid Arabization of such nuclei of settlement. The argument is weak because, for one thing, Arabization presumes substantial numbers of Arabs or else the dynamics of acculturation is inexplicable; and, for another, if such groups were Arabized (through patterns of clientage relations, for example) why would their settlement patterns, but not other elements of their culture, have resisted Arabization? We know from ibn Hazm's account the names of Arab families settled in the Valencia area, and I would prefer a model which presumes heterogeneity of settlement and attempts to resolve problems of origins of specific cultural elements on that basis, as I will argue below in the case of irrigation practices.

*Settlement Patterns and the Organization in the Countryside  
in Islamic Valencia*

Since so little is known of Valencia during this period (and few new documents are likely to come to light, although archeological study

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<sup>6</sup> See on this score, Lauro Olmo Enciso, "El reino visigodo de Toledo y los territorios bizantinos. Datos sobre la heterogeneidad de la península Ibérica," in *Coloquio Hispano-Italiano de Arqueología Medieval* (Granada, 1992), 185-98.

<sup>7</sup> C. Barceló, "Toponymie tribale ou familiale et organisation de l'espace dans



is promising) the best that historians can offer is a view, a model, of social and political behavior. There are two such models currently under debate. In one (Guichard's view), the main units of settlement were autonomous rural hamlets (*alquerías*), inhabited by clans of free tribesmen comprising a "society without lords" and with minimal direction from the central authority.<sup>8</sup> But segmentary social organization is not a sufficient explanation of political behavior. As Patricia Crone has argued, the political meaning of the clan or tribal segment (Arabic? *qawm*) shifted in the early centuries of Islam from the original meaning of a man's tribal following to indicate a general's personal recruits.<sup>9</sup> On the political level, then, loyalties were personal not tribal. For this reason, to conceptualize regional politics as "segmentary" makes little sense, because even at relatively local levels alliances were personal arrangements among chiefs.

The second model, promoted by most Arabists, allows for much less political autonomy, greater class stratification, and tighter linkages between the rural population and both the government and urban centers.

Rural settlements, according to Guichard, were of two types: *qaryas* and *rahals*. *Qaryas* (*alquerías*) were rural communities (frequently with "Beni-" toponyms) settled by extended families or clans. *Rahals*, on the other hand, were aristocratic freeholds, owned by powerful individuals. Defense was provided by castles (*ḥuṣūn*, singular *ḥiṣn*). As part of a general movement among medievalists, historians have sought to explore the medieval countryside by examining the role of castles as organizing elements of the social and political landscapes. There is an immediate distinction, however, to be made between *incastellamento* as practiced in the Christian feudal west, where castles became centerpieces in feudal organization as it emerged in the course of the eleventh and twelfth centuries, and in the Islamic world where seignorialism in the western sense never emerged. Archeologists have now identified and studied a series of castles built by the Muslims in the Valencian Country and their function has become a polemical issue among Valencian historians. According to Guichard, the dense network of rural castles must be understood as defensive installations

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l'aire valencienne a l'époque musulmane," *Revue de l'Occident Musulman et Méditerranée* 40 (1985): 29-38.

<sup>8</sup> E.g., Guichard, 115-240.

<sup>9</sup> Patricia Crone, *Slaves on Horses: The Evolution of the Islamic Polity* (Cambridge, 1980), 55.

which were only occasionally garrisoned by the central authorities and which served as refuges for the local populations in times of danger. *Qā'ids* commanding castles were agents of the central power but are not to be confused with feudal castellans. The physical structure of such castles reflected, in this view, their limited function. The *hīsn* generally had three elements: a central dwelling (*celoquia*, Arabic, *suluqiyya*) where the *qā'id* resided, a wall, and a fortified open space or *albacar* which served as a refuge for the civil population in case of attack. In order to provision the *hīsn*, villagers owed public work service called *sukhra*, which consisted mainly in bringing water and wood up to the castle.<sup>10</sup>

Guichard's detractors have attacked his construction of the countryside in virtually every detail. Epalza and Rubiera presume a much tighter political control of the countryside, if not from the central government, then at least from urban centers, than Guichard is willing to admit; they, along with M. C. Barceló, have also attacked the notion that the primary social building blocks of Islamic society in Valencia were segmentary units, mainly Berber, which Guichard has deduced from evidence which is mainly toponymic, although with some documentary support.<sup>11</sup> Indeed toponyms beginning with Beni- are so characteristic of the Valencia countryside that some attempt must be made to interpret them; but here again there is no consensus. Guichard assumes them to be early, while admitting there is no hard evidence that this is so. His detractors have raised the point

<sup>10</sup> Guichard's hypotheses on the organization of rural society are found in many articles (some in collaboration with André Bazzana) which are conveniently summarized, together with a useful survey of archeological results in Bazzana, Patrice Cressier and Pierre Guichard, *Les châteaux ruraux d'Al-Andalus* (Madrid, 1988), and idem, *Les musulmans de Valence et la Reconquête (XI-XIII<sup>e</sup> siècles)*, 2 vols., (Damascus, 1990-1). My views on rural social organization in Al-Andalus have also been influenced by Manuel Acien Almansa, "Poblamiento y fortificación en el sur de Al-Andalus. La formación de un país de *Husun*," *III Congreso de Arqueología Medieval Española*, 2 vols. (Oviedo, 1989), 1:135-50; and idem, "Sobre la función de los *husun* en el sur de Al-Andalus. La fortificación en el Califato," in *Coloquio Hispano-Italiano*, 263-74. For a critique of Guichard's hypothesis, see Mikel de Epalza, "Los beréberes y la arabización del País Valenciano," in *Miscel·lania Sanchis Guarner* (Valencia, 1984), 1:91-100. Guichard answers the critics of the Berber settlement hypothesis in "Els 'Berbers' de Valencia i la delimitació del País Valencia a l'alta edat mitjana," *Afers* 7 (1988-89), and idem, "Faut-il en finir avec les Berbers de Valence?" *Al-Qantara* 11 (1990): 461-73.

<sup>11</sup> A summation of the Rubiera/Epalza model is their *Xàtiva musulmana (segles VIII-XIII)* (Xativa, 1987). See Carmen Barceló's acerbic critique of Guichard's methodology, "Galgos o podencos? Sobre la supuesta berberización del país valenciano en los siglos XIII y IX," *Al-Qantara* 11 (1990): 429-60.

that Beni- names may even have been an epiphenomenon of the process of the *Repartimiento*, wherein Beni- has the general sense of "those of" (*elles de*). Some of these place names may in fact be compounded not on Beni- but on Bina (Penya).<sup>12</sup>

Interpretation of the physical and toponymic evidence has proven so controversial because there is not enough literary evidence on which to construct a view of rural Valencian society. Because the evidence is open to a variety of interpretations, it is helpful—indeed necessary—to look beyond the borders of the Valencian country and consider the conclusions reached by historians and archeologists studying similar kinds of evidence for the countryside in other areas of al-Andalus. Looking at Granada, Malpica and Gómez Becerra reach conclusions parallel to those of Guichard, although they are much more willing to recognize the role of cities in organizing the countryside, at least at the point when urbanization had become a factor to be reckoned with, in the *ṭāʾifa* period. They conclude that

these spaces are controlled by the *ḥuṣūn* which are integrated into them. The *ḥuṣūn* had, for each territory, a defensive mission, but at the same time they developed mechanisms of political control, although they expressed the contradictions already existing in the organization of the state and in each territorial framework. In equal measure, urban life gained in importance, until the point when cities (*madīna*; pl. *mudun*) gained the benefit of territories once autonomous. This settlement pattern is the result of a specific historical development.<sup>13</sup>

This particular constellation of *qaryas* organized around, but not necessarily controlled by, *ḥuṣūn* remained in place until the end of the tenth century. Thereafter, with the fragmentation of Umayyad authority, the political model was more nearly that of the city state, with the increasing importance of such centers as Valencia, Játiva,

<sup>12</sup> On Beni- toponyms, see Guichard, *Al-Andalus: Estructura antropológica de una sociedad islámica en Occidente* (Barcelona, 1976), 412–442, and many articles. For the opposing view, María Jesús Rubiera, "Toponimia árabe-valenciana: Falsos topónimos beréberes," in *Miscel·lània Sanchis Guarner* 1:317–20; Rubiera and Mikel de Epalza, *Els noms àrabs de Benidorm i la seua comarca* (Alicante, 1985); and Epalza, "Topònims d'origen antroponimic àrab de temps de la conquesta (Cid, Busot, Benimassot, Massoda, Benissoda, Benissaudet)," *Actes del Catorzè Col·loqui General de la Societat d'Onomàstica* (Alicante, 1991). Since this paper was written, the documentation of both Beni- place names and *ḥiṣn/qarya* complexes in many other places in the peninsula has made these criticisms moot.

<sup>13</sup> Antonio Malpica Cuello and Antonio Gómez Becerra, "La formación de un territorio medieval: La costa granadina de la época musulmana la conquista castellana," *Fronteras: Arqueología Espacial* 13 (1989): 241–55.

Denia, and others as nodal points both of political and economic control and for the diffusion of ideas and techniques.

We need not conflate the issues of ethnic settlement with the social organization of the countryside, because in the comparative perspective afforded by studies of other areas of al-Andalus it becomes apparent that the nature of the Umayyad political order encouraged and to a certain extent created the kind of social organization we have been describing. Indeed Guichard's system requires neither Berbers nor a rigorously segmentary organization. Such settlements could as well be Arab or ethnically mixed; at least we must be able to account for the assimilation of the *muwallad* population which enters minimally into Guichard's construction. Indeed, one might well consider the hypothesis of Manuel Acien (with regard to the origin of the Islamic countryside in Andalucia) which attributes the origin of the *ḥiṣn/qarya* complexes to fortified communities of *muwallads*.<sup>14</sup> Such communities over time both assimilated certain tribal norms of social organization (although not, I believe, to the point of segmentation) and encouraged the aristocratization of certain lineages who controlled other lineages, other territories.<sup>15</sup>

Finally, and to reiterate, to posit a society without lords, as some historians have characterized this rural polity, is a Romantic construction of Berber society, inspired by the great studies of Robert Montagne, as exaggeratedly local, autonomous, self-governing, both economically and politically—with very fragile ties to the central government with nothing resembling feudalism in spite of the power of great *qāʾids*. Such a view must be understood in the historical context in which such a view of Berber society in colonial North Africa emerged, and taken with some skepticism. The notion of a Berberized rural society without lords strikes me as a naive interpretation of medieval Islamic politics. Ruralization by no means implies

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<sup>14</sup> Acien, "Poblamiento," 140, where he asserts that much of the Valencian polemic has been over terminology rather than concepts, which explains the triviality of the debate. For Acien's pathbreaking analysis of the role of *ḥuṣūn* in the *fitna* of the late ninth century, see his book *Entre el feudalismo y el Islam. ʿUmar Ibn Hafsun en los historiadores, en las fuentes y en la historia* (Jaen, 1994).

<sup>15</sup> Some archeologists too easily assume that *muwallads* adopted a tribal structure. They should examine with greater care Jack Goody's distinction between kinship groups and descent groups. Thus, in the process of acculturation, *muwallads* may well have adopted an agnatic model of descent but without abandoning the bilaterality of late Roman kinship. See Goody, *The Development of the Family and Marriage in Europe* (Cambridge, 1983), especially appendix 1.

complete isolation and autarchy. Rather, political life is better understood as a complex and multi-leveled web of personal loyalties which linked local communities to larger entities up to and including the state, even if imperfectly and sporadically.

*Did the Berbers Irrigate in Valencia and How?*

Inasmuch as North African Berbers, whether of the mountains or of the desert oases, had traditionally been irrigators, the proponents of the Berber hypothesis inevitably posed the question of Berber irrigation in Valencia. Since I had argued, on the basis of terminology and water-distribution arrangements, an Arab introduction, I was criticized for not having sufficiently considered a possible Berber imprint.<sup>16</sup> There is no doubt that Berbers irrigated in Spain; this may be inferred from the documented continuity of irrigation systems in areas of known Berber settlement. The problem is how to establish valid criteria for analyzing such systems. Archeological remains tell us little, because technically primitive systems, such as those of small mountainous settlements, have similar physical attributes the world over. We must look elsewhere for cultural markers.

In the irrigation systems of the *huertas* of Gandia and Murcia there are numerous secondary canals with Beni- names. In the case of Gandia, a pattern of Beni- names is clearest on the Pellerias branch of the Vemisa river, where secondary feeders have the Beni- names of their *alquerías* (Beniopa [*Ubba*], Benicanena [*Kinana*], Benipeixcar, and Benisuay [*Shu'ayb*], while the tertiary feeders have romance names. Many more Beni- names are recorded in the "Distribution of Water of 1244".<sup>17</sup> Guichard sees two "toponymic strata" here: in the center of the *huerta*, a nucleus of military and commercial names, with an

<sup>16</sup> Thomas F. Glick, *Irrigation and Society in Medieval Valencia* (Cambridge, 1970), part 2: "Cultural Continuity in Irrigation". References to my inadvertence to Berber institutions: Guichard, *Al-Andalus*, 304-05; André Bazzana and Pierre Guichard, "Irrigation et société dans Europe orientale au Moyen Age," in *L'Homme et l'eau en Méditerranée et au Proche Orient*, ed. J. Metral and P. Sanlaville (Lyon, 1981), 115-40; Miquel Barceló, "La qüestió de l'hidraülisme andalusi," in *Les aigües cercades: Els qanat(s) de l'Illa de Mallorca* (Palma de Mallorca, 1986), 9-36; Eduardo Manzano, "El regadío en al-Andalus: Problemas en torno a su estudio," *En la España Medieval* 5 (1986): 617-32.

<sup>17</sup> Roque Chabas, *Distribución de las aguas en 1244 y donaciones del termino de Gandia por Jaime I* (Valencia, 1898).

older group of Beni- names outlying them.<sup>18</sup> The Beni- pattern is indicative of tribal settlement, but the names just cited are Arab. A similar pattern was recognized in the 1880s by Pedro Díaz Cassou as being indicative of the tribal organization of irrigation in the *huerta* of Murcia. In Jacques Berque's study of Berber irrigation in the High Atlas, one of the basic forms of distribution is by clan unit (*gens*), and in the Rif, main canals serve villages or hamlets, while secondary ones (always with the time value of twenty-four hours in an irrigation turn) serve minor lineage segments.<sup>19</sup> Tribal organization was a readily available model for organizing an irrigation canal. It must be emphasized that the tribal model was just that: a model. It did not necessarily mean, especially in an urban *huerta*, that all persons irrigating from a canal with a Beni- name were members of that tribe. In urban *huertas*, there was a competing model, the municipal one, represented by the *ṣāhib al-sāqiya* or the *qādī al-mā'*.

If we cannot ascribe the tribal model solely to Berbers, is there some dynamic of water distribution which is peculiarly Berber?<sup>20</sup> The most salient facet of Berber irrigation is the absolute priority of upstream irrigators over those downstream. Time priority is not known. The canal whose intake is located furthest upstream has the right to divert the entire debit of the river at that point. This rule probably relates, in its origins, to scarcity of water and to a regime of intermittent streams, on the one hand and, on the other, to primitive extraction technology in clay canals in which more than half the water is lost through filtration. This rule is so absolute that it does not even admit the principle of Islamic water law according to which the upstream irrigator must return unused water to the stream for the benefit of those further downstream (a clear reflection of classical Roman riparian right).<sup>21</sup> Such a rule makes sense in the high moun-

<sup>18</sup> Pierre Guichard, "La Valencia Musulmana, in *Nuestra Historia* (Valencia, 1980), 2:217.

<sup>19</sup> Jacques Berque, *Structures sociales du Haut-Atlas* (Paris, 1955), 153 ff.; David Montgomery Hart, "Emilio Blanco Izaga and the Berbers of the Central Rif," *Tamuda* 6 (1958): 213.

<sup>20</sup> In my description of Berber irrigation systems, I follow the French magistrate Paul Roche's report, "L'Irrigation dans le Sud de Maroc," *Memoirs presente pour le Centre des Haute Etudes d'Administration Musulmane*, 1946, typescript, which described the hydraulic regimes of dozens of tribal irrigation systems from Upper Tessaoute and the Haouz to the Sus and the Dra Valley.

<sup>21</sup> "Office du Haouz. Problèmes de la repartition des eaux entre les usagers," typescript, 1962, chapter 1, p. 23 (the text is not numbered). There is no author attributed, but one can presume the report was directed by Paul Pascon, a disciple

tains where there is a superabundance of water and land is scarce.<sup>22</sup> It does not make much sense in the lowlands.

I know of no instance in eastern Spain of a priority claim on a river based on the claimants being furthest upstream. In medieval lawsuits among settlements on the same river, time priority (back to the conquest or to the "time of the Saracens") was universally pled. It may be that under the Romanizing influence of the *Furs*, riparian norms blotted out a prior system based on Berber norms.

What about the internal organization of canals? Gravity-flow irrigation systems among the Berbers of the Anti-Atlas consist of a diversion dam (*sudd*, in Arabic, *ouqqouq*, in Berber), a main canal (*sāqiya*, in Arabic; *targa*, in Berber), divided into secondary channels called *mesref*. Conventionally, the entire debit of the canal flows into a single *mesref* which serves a *douar* or agnatic line, before passing on to the next *mesref*. Not only the turn among *mesrefs*, but also the sequence of the irrigation of each irrigator on a *mesref*, take place by topographic order, according to the rule of *rebta wa-jartha*,<sup>23</sup> which means "one diversion after another"<sup>24</sup> or, in Berber, "a diversion and its sister" (*taghamut-d'ultima*), generally from upstream to downstream.<sup>25</sup> The internal regime of the canals of the huerta of Murcia is similar, but more explicit. There the first turn-out after the diversion dam has priority, as expressed in the jingle (reported by Díaz Cassou), *él que está denantes bebe antes* which is a translation of an Arabic refrain to the effect that "the top field drinks first."<sup>26</sup>

Various elements of eastern Spanish practice are consistent with Berber irrigation practices, although those practices are sufficiently generalized so that an Arab introduction may be just as likely. Where the delivery of irrigation water is timed, for example, the traditional time measurement techniques were diffused over the whole of the Magrib and southern Spain. Thus water-clocks (*clepsydras*), both of the outflow variety as well as sinking bowls, measured time in (approximately seven minute units, or one-eighth of an hour). The *tāsa*

of Berque. See Pascon, "Théorie générale de la distribution des eaux et l'occupation des terres dans le Haouz de Marrakech," *Revue de Géographie du Maroc* 18 (1970): 3-11.

<sup>22</sup> Hart, 211.

<sup>23</sup> *Rebta ou jartha*, in the French monographs. The literal sense of "package" (*rebta*), eludes me. *Jartha* is, apparently, "its neighbor" *jaratu-hu*.

<sup>24</sup> Roche, "L'Irrigation," 23.

<sup>25</sup> *Ibid.*, 44.

<sup>26</sup> Glick, *Irrigation and Society in Medieval Valencia*, 163-4 and 309, n. 50.

[i e., Spanish *taza*, cup] or *tanast* of the anti-Atlas and the *jarro* (Arabic, *jarra*) of Lorca and Jumilla (Murcia) are both technically and semantically identical.<sup>27</sup> But *clepsydras* were widely diffused throughout the Islamic world. Another typically Berber time-measurement technique was the shadow method: the shadow of the ditch-rider projected on a plane and measured in feet yielded a constant time-unit for a determined hour of the day. A similar method was recorded in fifteenth-century Granada.<sup>28</sup>

*The Politics of Water Allocation and Regional Interdependence*

In mountainous villages in the Vall de Albaida and Vall de Perputxent it is possible to study primitive irrigation systems presumably of Berber origin and bearing a strong physical resemblance to systems in the Rif or Atlas. In recent studies of the irrigation systems of Rugat and Perputxent, respectively, Bazzana/Guichard and Torró/Segura stress the ostensibly primitive nature of the systems studied. In the first case, the authors choose Rugat as an "example" of a village in which dry-farming crops predominate, but which has, in addition

a limited area of irrigation which forms no part whatever in a broader system, but which evokes the idea . . . of a rural community taking charge not only of its defensive organization but also of the establishment of limited elements of irrigation. Such a system, they continue, has nothing to do with true systems organized by a political or administrative authority, but is more due to "communitarian institutions" suggesting a society of a tribal nature with fields worked by communities of free and independent peasants.<sup>29</sup>

A similar conclusion is reached by Torró and Segura with respect to Perputxent. Explicitly following the study of Bazzana and Guichard cited above they assert that in the Vall de Perputxent, just as in the case of Rugat, the predominance of dry-farming restricts the area of huertos, which are purely domestic in nature, to tiny parcels irrigated by springs or cisterns located in the vicinity of each *alqueria*. They describe the primitive technology of this system with its primi-

<sup>27</sup> On *tassa*, see Roche, "L'Irrigation." For *jarro*, see Glick, *Irrigation and Society*, 222. On *clepsydras* generally, see Thomas F. Glick, "Medieval Irrigation Clocks," *Technology and Culture* 10 (1969): 424-42.

<sup>28</sup> Roche, "L'Irrigation," 73; Glick, "Medieval Irrigation Clocks," 425.

<sup>29</sup> Bazzana and Guichard, "Irrigation et société" 132. Emphasis mine.



tive diversion dams built "by placing a wall of interwoven canes whose interstices are covered with sod and weeks from the riverbank on top of a base of stones, held together with stakes. Evidently, floods easily destroy these fragile dams which are rebuilt again and again, with frequent changes of site."<sup>30</sup>

There is no doubt that these simple irrigation systems are consistent with the typical Berber systems of the Anti-Atlas, for example, where it is easy to identify dozens of similar examples of small clan groups irrigating narrow mountain fields from fragile or improvised diversion dams. Nevertheless, I believe that this kind of interpretation is an oversimplification which deforms the political and social nature of these irrigated villages of the Middle Ages, whether Muslim or Christian. For Bazzana and Guichard, a simple technology invariably suggests a tribal structure which is local, isolated and without connections (at least significant ones) with broader political entities. I am not so sure. On the one hand the Moroccan Berber systems to which I have alluded, although technically simple, frequently manifest surprising numerical complexity in their institutional arrangements for dividing, measuring and distributing water.<sup>31</sup> It is not necessary to assume that the two facets of irrigation—physical plant and institutions—are conceptually related. Even more importantly, these small systems can never be isolated or detached from a wider "network" because, due to the physical nature of water and its flow, all places irrigating from the same river are, by definition, inter-dependent. Thus, in hydraulic terms, the supposed local nature of such places may be an overly romantic view. Finally, the typicality of a Rugat or a Perputxent is very limited. In the case of Bazzana and Guichard's study, Rugat is typical because the hypothesis of clan organization requires structures and institutions with the requisite simplicity.<sup>32</sup>

<sup>30</sup> Josep Torró i Abad and Josep M. Segura y Martí, "Irrigación y asentamientos en la Vall de Perputxent," in *Agua y poblamiento musulmán*, ed. Mikel de Epalza (Benissa, 1988), 67–92.

<sup>31</sup> An example, among many possible ones, of such complexity can be found in M. W. Hilton-Simpson, "Further Notes on Time-Measurement for Irrigation in the Aures," *Geographical Journal* 63 (1924): 426–31.

<sup>32</sup> Miquel Barceló correctly observes that there are no "rudimentary" hydraulic systems: all are designed. "El diseño de espacios irrigados en al-Andalus: Un enunciado de principios generales" in *El agua en zonas áridas* 1:xiii–1. See, on this point, William E. Doolittle, *Canal Irrigation in Prehistoric Mexico: The Sequence of Technology Change* (Austin, 1990), 150: "Canal irrigation networks, regardless of how technologically complex or the amount of land involved, are, by their very nature hydraulic systems."

I have studied the hydraulic interdependence of settlements irrigating from the Riu d'Alcoi in the fifteenth century on the basis of a document recording a suit over the water of the Font del Molinar in Alcoi, an important affluent of the river, between the town of Alcoi and every organized water-using entity down to Gandia and Oliva,<sup>33</sup> should point out that although Alcoi was a town of Christian foundation the water of the Font del Molinar had, prior to the conquest, flowed freely into the river, benefiting the mills and fields of Islamic Cocentaina as well as Planes, Perputxent and other places downstream until it reached the alluvial lowlands of Gandia and Oliva. This particular suit was brought conjointly by the lady of Cocentaina and Planes, the duke of Gandia, and the lord of Oliva against the town of Alcoi for an unlawful diversion of water from the spring.<sup>34</sup> As is typical of the *Litium* series, the resolution of this conflict is not extant. Nevertheless, the significance of this document is clear. Any perturbation in the flow of water affected all users on the river and such conflicts were not limited to the place where the illegal diversion occurred. Hydraulic conflicts were endemic on this, and all such rivers. Torró and Segura mention a suit of 1291 between Perputxent and Planes over the use of water on a segment of the Riu d'Alcoi extending between the two villages. The dams of the mills of Perputxent were located in Planes.<sup>35</sup> In 1683 a similar conflict broke out between Gandia and Oliva against the count of Cocentaina who attempted to install a new diversion dam.<sup>36</sup> Such cases serve to underscore the point that hydraulic interdependence had definite political consequences, in particular the formation of alliances between downstream water users to represent their collective interests against those upstream. Therefore, one cannot say that a given irrigation system on a small river like the Riu d'Alcoi or the Riu d'Albaida does not form a "true" irrigation system, without incurring a useless oversimplification.

The anatomy of power on the Riu d'Alcoi was that the duchy of

<sup>33</sup> Thomas F. Glick, "Hidràulica i política hidràulica a la Gandia de Joanot," in the symposium *L'Any Tirant* (Gandia, 1990), 21.

<sup>34</sup> ARV, Gobernación (Litium), 2221, 7th hand, fol. 31r and following (April 18, 1415).

<sup>35</sup> Torró and Segura, "Irrigación y asentamientos en la Vall de Perputxent," 81.

<sup>36</sup> Santiago La Parra López, "El Ducado de Gandia en el siglo XVIII: La ruptura de una convivencia tras 1609," unpublished doctoral dissertation, 2 vols. (Valencia, 1990), 1:271-72.

Gandia and county of Oliva had priority of irrigation right over all the places upstream, and that they exercised that right. That priority was based on having irrigated the same lands since the time of the Moors. For this reason in medieval litigation over water dozens of Mudejar irrigators, acting as a kind of collective memory, were called to testify.<sup>37</sup> In addition, political power and demographic weight also favored Gandia against both the smaller upstream entities as well as Oliva.<sup>38</sup> Alcoi, because it was a town of Christian foundation, was dependent for water rights on royal privilege and could not allege time priority. Upstream, its rival was Cocentaina, which had both clear priorities back to Muslim times and also undoubted seigneurial power since the fief was originally granted to Roger de Lloria after the conquest.

### *Conclusion*

Berbers irrigated in Islamic Valencia but in order to trace the specific filiation of institutions a specifically Berber dynamic would have to be identified on the basis of comparative study. Certain institutional patterns of Yemeni filiation, which I presume to have diffused across North Africa through the Saharan oases and finally into those areas of Islamic Spain where water distribution by time measurement was required, may have been introduced by Arabized Berbers, but such introductions would necessarily have been late. Miquel Barceló suggests that southern Moroccan Berbers introduced a certain style of terraced irrigation agriculture called *batira*, which is reflected in the toponyms Betera and Albatera.<sup>39</sup> This evidence, although toponymic, is much more valid as a Berber cultural marker than most Beni- names; in this case, we can presume settlement by non-Arabized Shleuh-speaking Berbers. Like Guichard, Barceló is insistent on the tribal nature of medieval Islamic irrigation, which he

<sup>37</sup> See for example the testimonies of many Mudejar witnesses in a suit of Gandia and Oliva against Johan Lançol as lord of Vilallonga in 1416 for having diverted the course of a number of springs; *ARV*, Gobernación (Litium), 2216, 45th hand. fol. 22r, and my comment in "Hidráulica i política hidráulica" (note 33, above).

<sup>38</sup> On the rivalry between Gandia and Oliva and the reasons for it, see Ignasi Mora, *Josep Camarena i l'ocàs del món rural Viatge a la Saforj* (Gandia, 1988), 101 (the old irrigation right) and 186–91 (general factors).

<sup>39</sup> Barceló, "La qüestió de l'hidràulisme andalusi", 17.

would like to identify with ancient Berber irrigation systems, such as that of Lamasba whose system of turns we know through a Latin inscription.<sup>40</sup> Both Arabs and Berbers irrigated according to a tribal model of administration. But how to discriminate between the styles of the two cultures must remain an open question.<sup>41</sup>

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<sup>40</sup> Ibid., 15–6. See my comment in “Las técnicas hidráulicas antes y después de la conquista,” in *En torno al 750 aniversario: Antecedentes y consecuencias de la conquista de Valencia*, 2 vols. (Valencia, 1989), 1:53–71.

<sup>41</sup> Miquel Barceló admits that in Mallorca he can find no distinctions in “the organization of hydraulic space” in areas of Arab, Berber, or Latin toponyms; “El diseño de espacios irrigados”, xxxii.

PART FOUR

LAY AND ECCLESIASTICAL INTERACTION



## LAY AND ECCLESIASTICAL ENCOUNTERS ON THE MEDIEVAL CASTILIAN FRONTIER

Theresa M. Vann

Robert I. Burns, S.J., demonstrates in his *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia* how a gifted historian can reconstruct the lives of medieval men and women through the use of archival materials.<sup>1</sup> Burns reveals the human beings involved in the historical processes of settlement and acculturation in the frontier kingdom of Valencia. His methodology concentrates on individual documents, recreating the causative agents behind the production of the document, then interpreting the document as part of a larger model. In unskilled hands this methodology produces a single factoid; but the genius of Father Burns is that he has the vision to recreate the entire society from single elements, like a scientist who can postulate the structure of the universe from the molecules in a drop of water. Thus his case studies yield information about otherwise forgotten people while at the same time illuminating larger issues in the kingdom.

For historians interested in legal history, the case study methodology is a valuable tool for testing the application of law in society. In order to determine legal principles, the case study focuses on a dispute that was heard before a judge and written down. Therefore, the case study delves into the realities of a given situation and transcends the model of an ideal society presented in the law codes. But note that the modern historian still depends upon a written document. Most of the legal proceedings in the medieval kingdom of Castile were conducted orally and have not survived.<sup>2</sup> Suits over landed property and boundaries, however, might be written down in order

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<sup>1</sup> Robert I. Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia* (Cambridge, 1984).

<sup>2</sup> Richard L. Kagan, *Lawsuits and Litigants in Castile (1500–1700)* (Chapel Hill NC, 1981), 4–5, indicates that Castilian courts did not keep substantial records until the end of the sixteenth century. However, Evelyn Procter, “The Towns of León and Castille as Suitors before the King’s Court in the Thirteenth Century” *EHR* 74 (1959): 3–5, provides examples of lawsuits involving towns; she does not, however, mention the case of Ocaña.

to prevent future disputes, especially if the case involved an ecclesiastical institution that wanted to preserve a record of its property holdings.<sup>3</sup> In frontier kingdoms such as Castile and Valencia, boundary disputes provide a particularly fruitful source for legal interactions. A single dispute could drag on for years and generate many documents.<sup>4</sup> In the absence of established formulae, the courts recorded the oral testimony and revealed the legal issues derived from local custom that decided the verdict. Thus disputes over boundaries and lordship illustrate not just the settler's concerns over land tenure but also the complex interactions between oral and written law. The written records of boundary disputes not only provide statistical data for land acquisition but also function as an important arena for human interaction.

The procedures Burns described for determining boundaries in the aftermath of the allocation of Valencian lands relied upon the memories of the oldest living inhabitants of the area, collected as oral testimony and written down to establish legal ownership.<sup>5</sup> The same situation also existed in land disputes in the neighboring kingdom of Castile. The cartularies of the cathedral of Toledo record a dispute between the archbishop of Toledo and the town of Atienza over the village of Durón, in which witnesses from the town of Hita affirmed that Durón belonged to the archbishop.<sup>6</sup> No written documents were produced, although Juan, archbishop of Toledo, claimed that Durón was part of the boundaries of Alcalá de Henares, which Alfonso VII had given to his predecessor Raimundo in 1129.<sup>7</sup> The charter did not name any of the boundaries of Alcalá de Henares, so the case turned on the oral testimony of the men of Hita. The witnesses from Hita swore, among other things, that old men told them that Bernard, archbishop of Toledo, had appointed the first *alcaid* of Durón and that their fathers had told them that Durón belonged to the

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<sup>3</sup> Procter, "Towns as Suitors," 15, notes that the great majority of suits pitted towns against ecclesiastical organization, but she does not consider the aspects of documental survival.

<sup>4</sup> For one such case, see Elías Tormo, "El estrecho cerco del Madrid de la edad media por la admirable colonización segoviana" *BRAH* 118 (1946): 47-205.

<sup>5</sup> Burns, *Muslims, Christians, and Jews*, "Bounding the Moorish frontier: Territoriality and prosopography," 193-226.

<sup>6</sup> AHN (Madrid) 996B, fol. 84v. Francisco Hernández, *Los Cartularios de Toledo* (Madrid, 1985), 140, dates the dispute between 1152 and 1166.

<sup>7</sup> Fidel Fita, "Bula inédita de Honorio II" *BRAH* 7 (1885): 339-40 (February 10, 1129).



archbishop. Bernard had been archbishop of Toledo from its reconquest in 1085 until his death in 1125, predeceasing the royal grant of Alcalá by four years, thus casting some doubt on the memories of the oldest men of Hita. Perhaps the important legal issue revealed by the collective memory of Hita is the idea of the longevity of the archbishop's claim to Durón, a claim that in the minds of the locality went back to the first archbishop of Toledo. That, and the fact that the men of Alcala ransomed their cattle when the men of Durón stole it, decided the disputed lordship of Durón. An ancient claim, acknowledged by the locality, awarded the lordship of Durón to the archbishop of Toledo in the absence of any written proof.

This case is an anomaly in the Toledan cartularies; not that the diocese won, but that the clerics relied upon oral evidence in the absence of written evidence. Oral evidence and customary law was the province of the municipality, which did not have jurisdiction over clerical matters. The clerics kept written records of their properties in the cartularies in order to pursue claims in both civil and ecclesiastical courts. Although individual cases might be heard by municipal officials (usually the officials of the city of Toledo) the ecclesiastics had recourse to canon law and church courts. A royal privilege dating from 1136 confirmed that the clerics of Toledo appeared only before the archbishop or his vicar to answer for damages, and any cases between a cleric and a layperson would be heard by the archbishop or his vicar and be judged according to canon law.<sup>8</sup> In comparison, the lay opponent either might be in possession of a charter, or he might rely upon oral tradition to make a claim to property. The lay person might only be well-versed in local customary law; he would certainly be appearing before a strange tribunal. The local customary laws were wholly inadequate to deal with an ecclesiastical adversary; either the ecclesiastic was specifically excluded from jurisdiction, or the local customs were completely inappropriate to deal with the points such an adversary might raise. This usually meant that in any legal encounter between laity and ecclesiastics the ecclesiastics had a far better chance of winning than the laity.

A particularly bitter Castilian dispute demonstrates what happened when written law clashed with customary practices. The case pitted lay claims based on customary law and oral tradition against ecclesiastical

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<sup>8</sup> Alfonso García-Gallo, "Los fueros de Toledo," *AHDE* 45 (1975): no. 7, laws 3, 4, pp. 468-9.

claims based on written records, and resulted in the re-writing of customary law in an attempt to resolve the issue. The case in point: the town of Ocaña versus the Order of Santiago.<sup>9</sup> The town of Ocaña challenged the dominion of its overlord, the Order of Santiago, basing its pretensions on customary, or unwritten law.<sup>10</sup> The Order of Santiago won the case through its reliance on written charters in the royal courts. The case demonstrates lay and ecclesiastical encounters in the legal arena, and it is important because it illustrates the legal procedures for the settlement of disputes in an era when trial transcripts are very rare. Finally, the human element clearly comes through; the great expectations of the townspeople of Ocaña cannot withstand the transition from customary to written law.

The earliest mention of Ocaña comes from 1139, when a royal charter cited it as a part of the boundaries of the nearby town of Oreja.<sup>11</sup> This settlement charter, or *fuero*, is the first link in the chain of evidence that will later bind Ocaña to the Order of Santiago. Both Oreja and Ocaña were important castles in the perimeter defenses of Toledo. Along with Dos Barrios and Yepes, they lay within a corridor of the mountains of Toledo that led to Muslim Spain, and served as a jumping-off point for Christian campaigns; they were also the first line of defense against Muslim sorties.<sup>12</sup> The recapture of Oreja in 1139 ensured the stability of the city of Toledo and its hinterlands against Muslim incursions.<sup>13</sup> Alfonso VII, king of Castile-

<sup>9</sup> Derek Lomax, *La Orden de Santiago (1170-1275)* (Madrid, 1965), 176-7, observes that the only villages to contest the Order as overlord were Ocaña and Castrotrafe, but he does not analyze either of the pleas in depth.

<sup>10</sup> Lomax, 177, records the case of Ocaña versus the Order in the context of the location of the tribunal. Lomax notes that the Order preferred to have this and similar cases heard by the royal courts, where it had a better chance of winning.

<sup>11</sup> José Luis Martín, *Orígenes de la orden militar de Santiago* (Barcelona, 1974), no. 8, pp. 178-80, The boundaries included Ocañuela and greater Ocaña ("... et inde ad Ocaniolam, inde vero ad Ocaniam maiorem..."). See also Hortensia Larren Izquierdo, *El castillo de Oreja y su encomienda* (Toledo, 1984), 97-98, for the situation of Ocaña in relation to the boundaries of Oreja.

<sup>12</sup> See Julio González, *Repoblación de Castilla la Nueva*, 2 vols. (Madrid, 1975) 1:180-7; also Carmen Gutiérrez del Arroyo, "Los fueros de Oreja y Ocaña," *AHDE* 17 (1946): 652-3.

<sup>13</sup> For an account of the siege of Oreja, see the *Chronica Adefonsi Imperatoris*, ed. Antonio Maya Sánchez, in *Corpus Christianorum Continuatio Mediaevalis*, 71 (Turnholt, 1990), book 2, chaps. 50-63, pp. 218-24. Based upon archeological investigations, the castle of Oreja had been extensively built up by the Muslims prior to Alfonso VI's recapture of Toledo in 1085; see Basilio Pavón Maldonado, "El castillo de Oreja (Toledo). Contribución al estudio del arabismo de los castillos de la Península Ibérica" *Al-Andalus* 40 (1975): 182-4.

Leon (1126–1157), intended to populate the area as quickly as possible in order to hold it against the Muslims.<sup>14</sup> The success of his settlement policies may be judged by the fact that almost twenty years later the village of Ocaña had grown into a town, meriting its own settlement charter. In 1156 Alfonso VII issued a settlement charter to the settlers of Ocaña that gave them the same customs, or *fuero*, as the settlers of Oreja: the charter conferred property rights upon the settlers, exemption from *portazgo* (a tax on the transport of goods), exemption from military service with the Toledo militia, and boundaries as they were in “ancient times”.<sup>15</sup> Based on this foral evidence, it seems likely that Oreja populated Ocaña with its own citizens, since the customs of Ocaña coincided with the customs of Oreja.<sup>16</sup>

The second link in the chain of evidence occurred in 1173, when Alfonso VIII, the king of Castile (1158–1214), gave the village and castle of Ocaña with all its pertinencies to Pedro Gutiérrez and Tello Pérez.<sup>17</sup> This charter is the first record of noble lordship over the town, since in 1156 the *fuero* had been addressed to the settlers and did not indicate a lord in Ocaña. The following year, the two lords gave a quarter of the town to the Order of Calatrava with the consent of Alfonso VIII.<sup>18</sup> Then, during the siege of Cuenca in 1177, at a time when both the crown and the nobles were short of cash,

<sup>14</sup> It is generally considered that Alfonso VII stimulated repopulation by issuing a *fuero* that made it easy to obtain property and eliminated much of the obligations of tribute. See Salvador Moxó, *Repoblación y sociedad en la España cristiana medieval* (Madrid, 1979), 225–7; Rafael Gibert, “El derecho municipal de León y Castilla,” *AHDE* 31 (1961): 725, also accepts the *fueros* of Oreja and Ocaña as settlement charters. It should be noted that both *fueros* are extensively concerned with military service.

<sup>15</sup> Gutiérrez del Arroyo, “Los fueros de Oreja y Ocaña,” 657–9. The *fuero* also regulated rape, compensation for the loss of a *caballero*’s horse, and settlement by outlaws.

<sup>16</sup> The *fuero* of Oreja was slightly longer, and contained additional clauses on settlement by outlaws, jurisdiction in cases involving citizens and outsiders, and a detailed description of the boundaries. Gutiérrez y Arroyo, “Oreja y Ocaña,” 654–6.

<sup>17</sup> Julio González, *El reino de Castilla en la época de Alfonso VIII*, 3 vols. (Madrid, 1960), 2: no. 179, pp. 301–02, (April 11, 1173). See *ibid.*, 1:346–47, for biographical information about these two men. Tello Pérez’s family had a long history of royal service, and he held other properties throughout Castile. Apparently he and Pedro Gutiérrez received Ocaña as a gift upon their marriages that year. Reyna Pastor de Togneri, “Poblamiento, frontera y estructura agraria en Castilla la Nueva (1085–1230)” *CHE* 48 (1968): 184, notes that Alfonso VII and Alfonso VIII gave grants of land to their followers near the city of Toledo.

<sup>18</sup> AHN (Madrid) Ordenes Militares, carpeta 455, no. 12 (February 15, 1174). Ignacio Josef de Ortega y Cotes, *Bulario de la Orden Militar de Calatrava* (Madrid, 1761; facsimile edition, Barcelona, 1981), no. 1, p. 8.

Tello Pérez gave the Order of Calatrava a further half of Ocaña.<sup>19</sup> This gift, however, was designated as a pious donation and apparently no cash changed hands. Tello Pérez's partner, Pedro Gutiérrez, witnessed this transaction that left the Order of Calatrava in possession of three quarters of Ocaña. Tello Pérez recovered his half of Ocaña after the siege was over, on January 3, 1181, when Alfonso VIII gave him half of Ocaña, half of Tondos, and properties in Cuenca in exchange for Malagon.<sup>20</sup> The same day Tello Pérez exchanged portions of his properties in Ciruelos, Malagon, Alarcos, and Benaument with the Order of Calatrava for Ocaña.<sup>21</sup> The Order of Calatrava acquiesced to the exchange, because Tello Pérez pleaded that he had settled Ocaña and had possessed it, and the Order agreed that it would remain in his estate after his death.<sup>22</sup> The Order, however, still retained a quarter of the town.

This particular exchange demonstrates the realities of property holding on the frontier. Possession of frontier lands depended upon not just the words of a royal charter but also on the principle of successful repopulation. Ordinarily, presenting a royal charter would be sufficient to establish proof of ownership. But on the frontier, the same parcel of land could be given to different recipients over a short period of time. It seems likely that successful settlement and defense confirmed the holder's right to retain the property. Just as settlers established property rights after residing in a locality a year and a day, lords established dominion by repopulating and defending their frontier lands. Therefore, despite subsequent alienations, the Order of Calatrava considered that Tello Pérez had established a permanent claim to Ocaña because he, not the Order, had populated it, and the Order promised that Ocaña would remain in his family after his death. In this particular situation, the practices of ecclesiastical landholding complimented the customs of the frontier. Normally, if any of the previous holders of a piece of frontier property had been an ecclesiastical institution, there would still have been

<sup>19</sup> AHN (Madrid) Ordenes Militares, carpeta 455, no. 17 (January 1177). Ortega y Cotes, no. 12, p. 8. Hilda Grassotti, "El sitio de Cuenca en la mecanica vasallatico-señorial de Castilla," *CHE* 54 (1980): 104-14, postulates that nobiliary sales occurred during the siege of Cuenca in order to finance that undertaking.

<sup>20</sup> González, 2: no. 354, pp. 601-3, (January 3, 1181).

<sup>21</sup> Ramón Menéndez Pidal, *Documentos lingüísticos de España: Tomo I; Reino de Castilla* (Madrid, 1966), 1: no. 260, pp. 351-2.

<sup>22</sup> Menendez Pidal, no. 260. . . . *y damus uobis Occanna por tal plecto que la pobledes y que habeatis in uostros dias, y de post obitum uosturm remaneat ala meson.*

a record of the original grant, thus permitting later clerics to claim the property.

The diocese of Toledo in particular pursued claims based upon holdings named in its original endowment in 1086 against the Order of Santiago, which had received the lands in the twelfth century. These claims, however, did not hold up in either royal or papal courts, and the conflict was not necessarily over lordship but over the collection of tithes.<sup>23</sup> Generally, ecclesiastical incomes remained the property of the archdiocese of Toledo, unless the Military Order constructed the church in deserted land. The Order then kept the tithes for itself.<sup>24</sup> But jurisdictional conflicts occurred when the Order of Santiago garrisoned lands that had been included in Alfonso VI's endowment of the diocese. A papal bull of Alexander III dated July 5, 1175, annulled previous royal donations to the diocese of Toledo by giving the Order of Santiago title to the lands in the Tagus Valley that the Order acquired by conquest or by royal gift.<sup>25</sup> The favorable decision could indicate the high status of the military order in the papal court, but subsequent disputes also demonstrate the failure of Toledan diocesan repopulation efforts in its dower lands. By 1180 Archbishop Cerebruno and the diocese challenged the Order of Santiago's dominion over the lands between the Tagus and the Tajuña Rivers in three suits: between Oreja, Alarilla; Salvanés and the Jarama River, between the Jarama River and its outlet into the Tagus; and in Alarilla and Belinchón, all part of the original endowment grant to the diocese of Toledo.<sup>26</sup> Cerebruno, archbishop of Toledo and godfather to Alfonso VIII, possibly counted on the close relationship between the king and himself and agreed to royal arbitration of the

<sup>23</sup> For example, see González, 2:no. 168, pp. 284–6, (February 7, 1172). Alfonso VIII was aware of possible ecclesiastical conflict between the military religious orders and the diocese of Toledo. His donation of the castle of Alarilla gave the Order of Santiago all rights except the *iure ecclesiae*.

<sup>24</sup> See Juan Francisco Rivera Recio, *La Iglesia de Toledo en el siglo XII* 2 vols. (Rome, 1966–1976) 2:249, and, for part of the papal bull dated October 22, 1181 which established this principal. Alexander III upheld diocesan rights to tithes in properties of the Order of Calatrava within the diocese (Rivera Recio, 2:no. 105, p. 229, with partial text, n. 50).

<sup>25</sup> Martín, no. 73, pp. 248–54, (July 5, 1175). In the opinion of Rivera Recio, *Iglesia*, 1:244 this indicated the first land or lordship dispute between the Order of Santiago and the diocese of Toledo, which was decided by the pope in favor of the Order in 1175. Also see Martín, p. 47, and Milagros Rivera Garretas, *La encomienda, el priorato y la villa de Uclés en la Edad Media: Formación de un señorío de la Orden de Santiago* (Madrid, 1985), 188.

<sup>26</sup> See Martín, 47–9; Rivera Garretas, nos. 115–17, pp. 188–9, 299–300.

cases. In two separate judgments Alfonso found for the Order of Santiago. The Order of Santiago and Cerebruno then reached an agreement between themselves over Alarilla and Belinchón.<sup>27</sup> In every instance the diocese lost—apparently, not for want of written evidence, since the diocesan claims were recorded in its cartularies.<sup>28</sup> The king favored the military orders, possibly because the military order successfully repopulated and defended each town.

Thus conflict could arise over obsolete claims to holdings that remained in ecclesiastical cartularies. It also seems that some conflicts were deliberately created by the king himself. For example, Alfonso VIII bestowed grants that created mixed lordships between the military orders of Santiago and Calatrava. In January 1174 he gave the town of Uclés to the Order of Santiago, and then granted its rents to the Order of Calatrava in April of that same year.<sup>29</sup> Some scholars have suggested that Alfonso wanted to create a *convivencia* between the two orders by thoroughly entwining their properties, but this seems highly unlikely.<sup>30</sup> It is also possible that the king wished to prevent either military order from gaining ascendancy in the Tagus frontier by dividing properties between them. But it is against this background of circumstances that the third link in the chain was forged, for September 11, 1171, Alfonso VIII gave Oreja with all its boundaries and pertinencies to the Order of Santiago, reserving to himself the right to use the castle of Oreja in time of war.<sup>31</sup> As the Order of Santiago would later and successfully claim, Ocaña was part of Oreja's original boundaries, and therefore part of this royal gift.

The previous exchange of properties in 1181 between the Order

<sup>27</sup> Martín, no. 116, pp. 299–300.

<sup>28</sup> Cerebruno entered into similar disputes with the Order of Calatrava, with the same results. See Joseph O'Callaghan, "The Order of Calatrava and the Archbishops of Toledo, 1147–1245" in *The Spanish Military Order of Calatrava and its Affiliates* (London, 1975), 64–70.

<sup>29</sup> González 2:nos. 195, 204, pp. 323–4, 336–7.

<sup>30</sup> See Rivera Garretas, 37. Lomax, 41–2, believes that the conflicting grants were a deliberate attempt by the Order of Calatrava to absorb the Order of Santiago. Lomax postulates that the master of Calatrava, Martín Pérez de Siones (1170–1182), wished to force the new Order of Santiago to affiliate with the already-established Order of Calatrava; and Joseph O'Callaghan, "Hermandades Between the Military Orders of Calatrava and Santiago During the Castilian Reconquest" in *Spanish Military Orders*, 609–10, cites this interpretation. With a new master of Calatrava in 1182, Nuño Pérez de Quiñones, the two orders reached accords over their contentions and set up a panel for settling future disputes. For more on the Orders' tribunals, see Lomax, pp. 47–50, and O'Callaghan, "Hermandades," pp. 612–4.

<sup>31</sup> Martín, no. 47, pp. 220–1.

of Calatrava and Tello Pérez created a joint dominion over Ocaña between the Order of Santiago and the Order of Calatrava. Tello Pérez retained a claim in the town of Ocaña, and the Order of Calatrava retained a quarter. Tello Pérez's claim was not mentioned when the Order of Calatrava swapped Ocaña and the tithes of Uclés with the Order of Santiago for Alcubilla and an annual rent of 100 *maravedís* from the salt pits of Espartinas in 1182.<sup>32</sup> The confusion over the rights to Ocaña may have caused problems almost immediately. Within ten years the Order of Santiago felt the need to sort out the sequence of events in writing, for at some point members of the Order drafted a memo in order to record that: (1), Alfonso VIII had given Oreja with all its boundaries to the Master and Order of Santiago; (2), the Master of Calatrava had then obtained Ocaña, which was part of Oreja, and this was not pleasing to the Order of Santiago; and (3), as a consequence, the Order of Santiago initiated an exchange with the Order of Calatrava of a portion of the yearly rents from their salt pits in Espartinas for Ocaña.<sup>33</sup> So, the basis for the Order of Santiago's claim to the village of Ocaña, reiterated as late as 1740, centered on three elements: Oreja belonged to the Order by royal gift; Ocaña was defined by royal charter as part of Oreja; therefore, Ocaña belonged to the Order.<sup>34</sup> The Order of Santiago never mentioned, let alone considered, the intermediary noble lordship nor the claim, recognized by the Order of Calatrava, that Tello Pérez had populated Ocaña and retained an interest in it, even though Tello Pérez was still alive in 1192. But neither party ever mentioned his claim to Ocaña. He may have surrendered it at some point, or it may have been overlooked by the Order of Santiago.

This memo demonstrates that by 1192 the Order of Santiago based its claim to frontier property not on the principle of successful repopulation, which had served it so well only a few years earlier against the diocese of Toledo, but on the written description of property in royal charters. Perhaps in this circumstance the Order realized that dominion by repopulation would be difficult to establish because of the earlier activities of Tello Pérez; or perhaps the Order hoped its written proof was sufficient in this case. But the Order of

<sup>32</sup> Ibid., no. 145, p. 332, (August 8, 1182).

<sup>33</sup> Ibid., no. 147, p. 333.

<sup>34</sup> See Bernabé de Chaves, *Apuntamiento legal sobre el dominio solar de la Orden de Santiago en todos sus pueblos* (Madrid, 1740; Barcelona, 1975), which contains the legal arguments and titles to the properties of the Order.

Santiago also had to contend with the emergent town council of Ocaña, which apparently realized that the Order's claim was not firmly established according to custom and accordingly acted as an autonomous council. In 1184, during the ten-year period in which the Order of Santiago was determining their claim to the village, the people of Ocaña appeared before Alfonso VIII and the Commander of Santiago in order to confirm the main points of the settlement charter from 1156.<sup>35</sup> This new *fuero* confirmed that Ocaña still had similar customs to Oreja (as stipulated in the earlier grant), and refined points that were not clear in the earlier *fuero*. For example, Alfonso VIII clarified that the men of Ocaña only had to perform military service with the king when he fought the Muslims, and granted the *fuero* of Toledo concerning damages. The new *fuero* also imposed tribute upon Ocaña for the first time. Each citizen paid one *maravedís* a year; and citizens who had a horse worth twelve *maravedís* or a horse and knight (*equo*) were exempt.

Alfonso VIII confirmed in this *fuero* that the men of Ocaña could have a *concejo* and officials, such as *alcaldes* and judges, similar to the men of Oreja. This *fuero* may have been the first recognition of the existence of the *concejo* of Ocaña, since subsequent royal documents consistently addressed the *concejo* of Ocaña as the entity representing the interests of the municipality, in preference to the earlier use of the word "settlers" (*populator*) to indicate the recipients of the charter. The *concejo* was the corporate body that consisted of all the citizens of the town and represented the interests of the municipality.<sup>36</sup> In general, the *fuero* confirmed the existence of the *concejo* and conferred the right for the townspeople to select its officials. The officers of the *concejo* administered the town and represented it in court.<sup>37</sup> The emergence of the *concejo* was an important step in the development of the settlement into a municipality, since a *concejo* could control and administer the lands and villages within the boundaries of a town.

It was about this period that the town of Ocaña began to act as an autonomous town.<sup>38</sup> The crown and the royal chancery acknowl-

<sup>35</sup> Martín, no. 157, pp. 341–2. Rivera Garretas, no. 14, pp. 245–6. The undated document was issued in Belvis, so Rivera Garretas dated it to 1184 when Alfonso was there. Other proposed dates for this *fuero* include 1183, 1204, and 1210.

<sup>36</sup> See María del Carmen Carlé, *Del concejo medieval castellano-leones* (Buenos Aires, 1968), for a study of the officers and development of the *concejo*.

<sup>37</sup> See Joaquín Salcedo Izu, "La autonomía municipal según las Cortes Castellanas de la baja edad media" *AHDE* 50 (1980): 236–7.

<sup>38</sup> Until 1250 Ocaña showed all the characteristics of a self-governing *concejo* as defined by Evelyn Procter, "Towns as Suitors," 1; it appointed officials, provided



edged its status. For example, when Alfonso VIII defined the towns that performed military service with the militia of Toledo in 1207, he issued a blanket exception for those towns and villages under his dominion, the dominion of the archdiocese, and the dominion of the military orders.<sup>39</sup> Ocaña, along with three other towns, was exempted by name because they had never performed such service. If Ocaña was firmly established under the dominion of the Order of Santiago, it could have been included under the blanket exemption. Instead, it was singled out for a specific exemption, and the reason cited was the contents of its *fuero*, which the royal chancery still considered valid in regards to military service. Indeed, the crown had already recognized the difficulty caused by the interaction of neighboring towns with different customs. The town of Ocaña was included in a *hermandad*, or brotherhood, formed in 1188 consisting of eight such towns under the lordship of the archbishop of Toledo, the military orders, or the king, with the intent of easing questions of jurisdiction over disputes among the citizens of these municipalities.<sup>40</sup> Jurors from each town represented their town's interests in matters pertaining to judicial proceedings. Ocaña's jurors were Domingo el Hombre, Domingo Urrexa, and Vela Díaz. Domingo el Hombre must have been a man of some stature in the community, for he appeared as a witness in a dispute between the *concejo* and the Order of Santiago in 1210.<sup>41</sup> This charter also named the officials of the *concejo* of Ocaña, which consisted of a judge (*iudex*), *alcaldes*, *adelantados*, and an *andador de concejo*.

It was as an autonomous *concejo* with its own officials that the town of Ocaña began to enter into disputes with the Order of Santiago. Ocaña claimed a portion of the forest of Ontigola from the Order, which Alfonso VIII divided between the two litigants in 1202.<sup>42</sup> Another unspecified dispute between the town and the Order caused Alfonso VIII to reissue the terms of the 1184 *fuero* in 1210.<sup>43</sup> The preamble of the new *fuero* indicated that it recorded an agreement made between the *concejo* and the Master of the Order of Santiago

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militia for the royal army, was represented by procurators in court, and even possessed its own seal.

<sup>39</sup> González, 3: no. 793, pp. 391–3, (February 3, 1207).

<sup>40</sup> Milagros Rivera Garretas, "Alfonso VIII y la hermandad de villas de la Ribera del Tajo" *AHDE* 49 (1979): 519–31.

<sup>41</sup> González, 3: no. 729, pp. 282–3.

<sup>42</sup> *Ibid.*, 3: no. 729, pp. 282–83, (November 17, 1202).

<sup>43</sup> *Ibid.*, 3: no. 868, pp. 520–2, (May 16, 1210). Lomax, *Orden de Santiago*, p. 177, also interprets this document as the result of a dispute between the Order of Santiago and the town of Ocaña over dominion heard by the king.

in the presence of Alfonso VIII. The new agreement confirmed that the men of Ocaña only performed military service with the king against the Muslims, and that Ocaña followed the customs of Toledo regarding compensation for damages. But the terms of the payment of tribute changed. The *concejo* of Ocaña now had to pay the master of Santiago one hundred twenty *maravedís* a year; the only exception were those citizens who had a horse worth two hundred *maravedís* or who had a *pultros* (possibly a substitute rider) for his horse; and this was in the province of the *alcaldes*. In return, the Order could not demand any other tribute except the one stipulated in the *fuero*.

But discord between Ocaña and the Order continued despite the new *fuero*, or perhaps because of it. The *concejo* of Ocaña confiscated property belonging to the Order of Santiago, who brought the matter before Pope Honorius III in 1217.<sup>44</sup> This demonstrates that the Order had other legal venues outside the municipal and royal courts, venues that were entirely within the ecclesiastical sphere. The papal letters do not clearly reveal the details of this case, but it seems that some of the citizens of Ocaña had usurped a house that the Order claimed. The Order frequently involved the papacy when the issue was the collection of promised tribute from the towns, but this is one of the few cases where a dispute over real property reached the papal court.<sup>45</sup> As one event in a series, this particular dispute seems indicative of Ocaña's worsening relationship with the Order, although the decision of the papal judges was not recorded.

The town of Ocaña also became involved in boundary disputes with towns under the jurisdiction of the Archbishop of Toledo. The transcript describing the testimony of the representatives of Ocaña concerning their claim to Yepes before the Toledan officials in 1215 has survived; the dialogue is reminiscent of an undergraduate explaining why an assignment has not been handed in, and the explanations are just as ingenious.<sup>46</sup> The townspeople verbally asserted their

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<sup>44</sup> Demetrio Mansilla, *La documentación pontifica de Honorio III (1216-1227)* (Rome, 1965), no. 53 p. 42, (April 9, 1217); AHN (Madrid) Ordenes Militares, carp. 243, nos. 7, 8 (March 22, 1218; August 9, 1218). April 1217 was an auspicious date for such cases; the Order of Santiago presented two similar complaints involving the *concejos* of Cuenca and Uclés to the pope for decision.

<sup>45</sup> Lomax, 168. The disputes with Cuenca and Uclés that same year, however, also concerned real property; see Mansilla, nos. 51-2, pp. 41-2.

<sup>46</sup> Hernández, no. 360, p. 325.

claim, citing their settlement charter from 1156.<sup>47</sup> When asked to produce the charter, they stated that they had sent it to the king, and they had a receipt for it. When asked by the court to produce the receipt, they said the only charter they had was the one now in the king's possession. The settlement charter from 1156 does not mention Yepes by name, only that Ocaña had its customary boundaries ("et habeat suos terminos sicut fuerunt in antiquo tempore"). This, of course, does not rule out the possibility that a charter naming the boundaries existed that the king never returned. The officials of Toledo decided against Ocaña's claims for lack of written evidence, but that did not settle the matter. The *concejo* of Ocaña still disputed its boundaries with the neighboring towns of La Guardia, Monreal, Yepes, and Bogas, and the Order of Santiago and the Archbishop of Toledo had to send representatives to determine the boundaries. Fernando III (1217–1252) confirmed their decision in 1219.<sup>48</sup> This dispute over Yepes demonstrates the advantages ecclesiastical institutions enjoyed over lay adversaries in the legal arena by the beginning of the thirteenth century. The new royal emphasis on written evidence favored the clerics and their cartularies. In comparison, townspeople still relied upon sworn oral testimony, or even upon an oral assertion based upon a charter, as shown above. In this case the actual contents of the charter may not matter to the layperson; the significance might rest in having any written document. The failure at Yepes shows that tactics that had worked for the archbishop of Toledo some fifty years earlier in the dispute over Durón would not work for the laity of Ocaña. An assertion based at best on vague language in an old charter backed by oral testimony would no longer win lawsuits.

This, however, did not stop the townspeople of Ocaña from further legal attempts. Certain of their customary rights, the laity of Ocaña again and again challenged what they saw as ecclesiastical usurpation of their property. The Order of Santiago in turn recognized the *concejo* of Ocaña as a legal entity, with whom it had to negotiate matters involving rents and tolls. In 1226 the Order of Santiago made an agreement with the *concejo* of Ocaña over new rates of *portazgo*

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<sup>47</sup> Procter, "Towns as Suitors," 5–6, cites another case in which the representative of the city of Túy presented a dubious *fuero* dating from 1170 to Fernando III in 1250 as proof that the bishop of Túy was not their overlord. The king, however, found the document did not substantiate the city's case.

<sup>48</sup> Hernández, no. 385, p. 345, (May 17, 1219).

taken at the bridge of Alarilla.<sup>49</sup> The terms of this agreement indicate that the *concejo* of Ocaña was transporting goods from the lands held by the Muslims; the implication is that the *concejo* was trading with the Muslims and carrying the goods over the bridge at Alarilla. The town and the Order agreed when *portazgo* would be imposed. The rates of *portazgo* were already set, and the original royal exemption dating from 1156 had been forgotten. In matters regarding taxes and tolls the original settlement *fuero* was obsolete.

The *concejo* of Ocaña also joined with other *concejos* to remove salt from the salinas of Belinchón without permission. The rights to these salinas were a jealously-guarded ecclesiastical monopoly, and Fernando III had to issue an order to the *concejos* of Ocaña, Madrid, Huepte, Uclés, Zorita, and Almoquera to cease and desist.<sup>50</sup>

Finally, after many years of acting on their own behalf with varying degrees of success, Ocaña directly challenged the Order of Santiago's dominion over the town and castle in 1250.<sup>51</sup> They did have a case, because the family of Tello Pérez still had a claim to half the town that had been recognized by the Order of Calatrava. But this claim had never been acknowledged in writing by the Order of Santiago, and did not appear in its written records. When the town brought the suit before Fernando III, the king decided, based on the testimony and the charters produced by both sides, that the village and castle of Ocaña pertained to the Order of Santiago.<sup>52</sup> The exact testimony heard by Fernando III is unrecorded; we do not know exactly what documents both sides produced, because only his decision survives. But if the legal basis for Ocaña's claim to Yepes is any guide, the town relied upon the text of its settlement charter from 1156 and upon oral testimony. The Order of Santiago, for its part, based its claim to lordship upon its written records, which named Ocaña as part of the boundaries of Oreja, and upon its undisputed claim to Oreja. The transfers and agreements based on repopulation that occurred under previous overlords were not included in the Order's records, which would have been presented to the king. Alfonso VIII may have been swayed by appeals to custom, but his grandson preferred written records that were not open to reinterpretation. Fernando III found the written evidence and the arguments presented

<sup>49</sup> See José Luis Martín, "Portazgos de Ocaña y Alarilla" *AHDE* 32 (1962): 519–26.

<sup>50</sup> Julio González, *Reinado y diplomas de Fernando III*, 3 vols. (Córdoba, 1948–986), 3.no. 752, pp. 316–7, (January 8, 1248).

<sup>51</sup> Martín, "Portazgos," no. 3, pp. 525–26, (November 20, 1226).

<sup>52</sup> González, *Fernando III*, 3.no. 808, pp. 385–7, (November 18, 1250).

by the Order of Santiago more convincing, as the Order relied upon royal charters and canon, not customary, law. The settlement charter of Ocaña and a tradition of subsequent customary practices proved inadequate to substantiate its *concejo*'s claims to autonomy. The royal decision prevented the town from operating in the gray legal area it had previously inhabited, placing it firmly under the dominion of the Order of Santiago.

The following year, the Master of Santiago confirmed the *concejo* of Ocaña in the *fuero* of Toledo and marked its boundaries.<sup>53</sup> This new charter referred to the previous disputes between the Order and the *concejo* as *escándalo* in the preamble. The intent was that the new *fuero* would end the bad feeling between the two parties. The Master, Pelayo Pérez, set new rates of tribute: those worth sixty *maravedís* paid four *maravedí* a year; those worth thirty paid half a *maravedí*, and those worth between ten and twenty *maravedís* paid a quarter per year. They retained the custom that anyone who possessed a horse worth twelve *maravedís* was exempt, according to the *fuero* of Toledo. The Master defined the villages pertaining to Ocaña as Tobas, Ocañuela, the forest of Ontigola, and part of Aranjuez.

This document also contains the response of the *concejo* of Ocaña. Presented with the fact of the royal decision in favor of the Order of Santiago, the *concejo* surrendered its claim to the village and castle and promised to act as good and loyal vassals to the order: they would pay tribute and abide by the agreement. In this act procurators represented the *concejo*, which reinforced its status as a corporate body. Even the *concejo* of Ocaña was influenced by the growing reliance upon Roman law in Castile. The organization of the town and its outlying villages was gradually growing more complex. But the *concejo* of Ocaña accepted the king's ruling, because they saw the written document produced by Fernando and his court, and its contents were read to them. The town notary made two copies of the new *fuero* on the same parchment and divided the copies with a jagged edge, with A B C written along the cut. Ocaña retained one copy, while the Order kept the other part. The town of Ocaña came to realize that the written charter had power that the oral tradition lacked.

Lay and ecclesiastical legal encounters provide much fuel for discussion of the conflict between written and oral traditions. They are

<sup>53</sup> AHN (Madrid) Uclés, carp. 243, no. 15 (December 1251); Andres Marcos Burriel, *Memorias para la vida del santo rey Don Fernando III* (Madrid, 1800, Barcelona, 1974), 528–30.

also ideal for examining the inadequacies of municipal customary law when dealing with ecclesiastical adversaries. This case illustrates that the townspeople of Ocaña retained a naive faith in oral traditions even as the ecclesiastical dependence on written law transformed the legal system in the mid-thirteenth century. The property claims made by the Order of Santiago developed from overlordship based on successful defense and repopulation to overlordship based on written royal charters. This transformation demonstrated a shift in legal attitudes which preferred the written word over oral testimony. The shift happened to favor the Order of Santiago, which, thanks to circumstances, benefitted more than other ecclesiastical institution. The Order's resources included direct appeal to the papacy and the use of ecclesiastical courts, which helped it in its legal battles against townspeople who lacked such venues. On their part, the townspeople were only aware of their customary rights, which had been conferred in an earlier time; a time when it was vital to settle the frontier and when verbal testimony was more acceptable. But these customary rights meant less, even written down, on a settled frontier in an era that saw the increasing use of the written word. Military service became less of an issue, even though horse owners retained their tax exemption. The townspeople of Ocaña only gradually realized the importance of the written charter; at first, any piece of writing, applicable or not, was pressed to serve their ends. Eventually, they accepted the actual contents of royal charters as binding.

As the written word gained ascendancy, the customary rights passed from human memory. When Philip II sent his investigators through his kingdom, the people of Ocaña had no recollection of their forebears' claims to autonomy, nor did they mention their *fuero* from 1156—either they no longer possessed it, or the document had lost all its meaning.<sup>54</sup> It is likely that the *fuero* was lost by then, since the original document has not survived.<sup>55</sup> Even if Ocaña had retained a copy, it might be prized not because of the contents of the document but as a quaint survivor of another age that attested to the antiquity of the town.

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<sup>54</sup> Carmelo Viñas and Ramón Paz, "Ocaña" in *Relaciones historico-geografico-estadísticas de los pueblos de España hechas por iniciativa de Felipe II*, 3 vols. (Madrid, 1963) 2, pt. 2:175, 185.

<sup>55</sup> The text of the 1156 *fuero* of Ocaña survives in the cartulary of the Order of Santiago, the *Tumbo Menor de Castilla*, lib. 2, d. 54.

SACRED AND SECULAR POLITICS:  
THE CONVENT OF SANT PERE DE LES  
PUEL•LES IN THIRTEENTH-CENTURY BARCELONA

Linda A. McMillin

The monastery of Sant Pere de les Puel•les was founded, in 945, just outside the city walls of Barcelona under the patronage of Count Sunyer I and his wife Riquilda. In 985, when Barcelona was invaded by the Muslim conqueror al-Mansur, the convent was sacked and burned. The community was restored, however, by Borrell II, along with the rest of the city, and was completely rebuilt by the end of the tenth century. Sant Pere de les Puel•les came under papal protection in 1072, a privilege renewed in 1193; the monastery came under royal protection as well in 1183.<sup>1</sup>

By the thirteenth century Sant Pere de les Puel•les was a large prosperous community already celebrating its third century of existence. It followed the Benedictine rule but did not participate in the Cistercian reforms of the twelfth century. Nor did it later affiliate with other religious communities. Its papal privilege made it exempt from much of the local bishop's authority through most of the medieval period, giving the abbess control over the monastery's land holdings and independent rule in a wide variety of spiritual and secular matters. It is precisely this type of autonomy that came under critical and disapproving scrutiny in the later Middle Ages and was increasingly

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<sup>1</sup> For a brief general history of the monastery see Antonio Pauli Meléndez, *El real monasterio de San Pedro de las Puellas de Barcelona* (Barcelona, 1945). The actual founding of the monastery is the subject of the *Chronicle of Sant Pere de les Puel•les*, a romanticized version of the early history of the convent redacted in the late thirteenth century. This *Chronicle* has been studied by Miquel Coll i Alentorn in "La crònica de Sant Pere de les Puel•les" in *I Col•loqui d'història del monaquisme català*, vol. 2 (Santes Creus, 1969). The earliest documentary reference is to the consecration of the monastery's church in 945. The dating and authenticating of this document is the focus of Fredrico Udina Martorell's article: "El milenario de real monasterio de San Pedro de las Puellas y el acta de consagración de su primitivo templo," *BRABLB* 18 (1945): 218–44. Maria Montserrat Cabré wrote a licentiate thesis on Sant Pere for the tenth and eleventh centuries: "El monacat femení a la Barcelona de l'alta edat mitjana: Sant Pere de les Puel•les, segles X–XI," Tesis de licenciatura en historia, Universitat de Barcelona, 1985. Unfortunately, this work has not yet been published.

denied to women's communities founded after 1200.<sup>2</sup> Finally, its location in Barcelona placed Sant Pere in one of the most prosperous and influential of medieval Mediterranean city-states. It is obvious from this brief description that the monastery of Sant Pere did not exist in a vacuum. It was not only a part of the larger political and economic urban center of Barcelona, but also had a place in the complex religious structure of the western Christian church. Surviving documentation limits what can be known of Sant Pere's associations with its political and religious neighbors. But some existant clues reveal a varied and not always harmonious network of relationships between monastery and outside world.

In the hierarchy of importance, Sant Pere's relations with the papacy should rank at the top. As mentioned above, the monastery of Sant Pere was the beneficiary of a papal privilege. This special dispensation placed the convent directly under the jurisdiction of the Holy See, bypassing the authority of the bishop of Barcelona. This exemption was granted in 1072 by Pope Alexander II and renewed in 1193.<sup>3</sup> Sant Pere paid a yearly fee to mark this affiliation. The record of the monastery's payments to the papacy for the thirteenth century shows the charge to be three *morabatins* per year.<sup>4</sup> The convent paid a lump sum every few years, however. Ten payments were made between 1213 and 1273.<sup>5</sup> The record also noted the reigning pope and the name of the legate to which the sum was paid. Because of its papal privilege the monastery of Sant Pere was directly accountable to the Holy See on a variety of internal issues. A newly elected abbess was subject to papal approval and installation. For practical purposes, however, the actual task in 1246 of investigating the elec-

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<sup>2</sup> See Jean Leclercq, "Feminine Monasticism in the Twelfth and Thirteenth Centuries" in *The Continuing Quest for God*, ed. William Skudlarek (Collegeville MN, 1982) and John B. Freed, "Urban Development and the 'Cura Monialium' in Thirteenth-Century Germany," *Viator*, 3 (1972): 311-27. By the Council of Trent female communities with traditional papal exemptions are transferred to the jurisdiction of their local bishop as a "papal representative." The exemption of men's communities, however, expands from the thirteenth century on especially with the founding of the mendicant orders and later the Jesuits.

<sup>3</sup> ASPP, Butlles pontificies i documents procedents de la curia romana, twelfth century, 3 is the 1193 renewal. Mention is made in this latter document of the original exemption.

<sup>4</sup> ASPP, Butlles pontificies i documents procedents de la curia romana, thirteenth century, 5.

<sup>5</sup> The interval between payments varies from two years to thirteen. There is not particular pattern and no explanation given for the irregularity.



tion of Ermessenda Pax and of installing her as abbess fell to the archbishop of Tarragona as the designated papal representative.<sup>6</sup> Evidence suggests that entering nuns were submitted for papal confirmation as well. In 1245, a letter from Rome approved the acceptance of Elicsenda Pax into the community of Sant Pere. Likewise, a nun named Guillema was approved in 1258.<sup>7</sup>

What did Sant Pere receive from its special association with the Holy See? Most importantly, the convent gained independence so as to be able to handle its affairs without the interference of local ecclesiastical authorities. This autonomy was not always appreciated by the bishops of Barcelona, however. Sant Pere's relationship with the Barcelona see was marked by conflict throughout most of the thirteenth-century. In particular, the Barcelona bishops challenged Sant Pere's rights to appoint clergy in the parish of Santa Maria in Montmeló.<sup>8</sup> Litigation concerning this issue spanned four decades. The convent of Sant Pere successfully defended its rights in Montmeló, however, thanks in large part to the invocation of its papal exemption.

In addition to its special association with the papacy, the monastery of Sant Pere enjoyed a privileged relationship with the king. The convent was founded under the patronage of the Count Sunyer I. When the counts of Barcelona subsequently became the kings of Aragon, this connection continued. Sant Pere came under official royal protection in 1183, and this favor was renewed in 1260.<sup>9</sup> On the latter occasion the monastery's lands in Barcelona, Llobregat, and Banyols were released from all royal duties and services.<sup>10</sup> Both the current king, James I, and his son and heir in Catalonia, Peter, approved these concessions. In addition to this general privilege, the kings of Aragon made a variety of specific donations to the convent

<sup>6</sup> ASPP, nos. 232, 233 (numbers refer to the parchment collection unless otherwise noted).

<sup>7</sup> ASPP, Butlles pontificies i documents procedents de la curia romana, thirteenth century, 1, 3. In 1, Elicsenda Pax is given papal approval; in no. 3, the woman's name is Guillema. The wording of the documents suggests that these confirmations were solicited.

<sup>8</sup> See my article "Gender and Monastic Autonomy in Thirteenth-Century Barcelona: Abbess vs. Bishop," *Journal of Medieval History* 18 (1992): 267–78.

<sup>9</sup> ASPP, Privilegis reials, thirteenth century, 5. This document, dated 1260, confirms and renews the earlier privilege.

<sup>10</sup> ASPP, Privilegis reials, thirteenth century, 5, declares that Sant Pere's lands are *immunes et liberi perpetuo ab omnibus questibus exercitiis et cavalcatis et redemptione ipsarum et ab omnibus usaticis serviciis et servitute atque omnibus exactionibus que per potestatem sui senioratici aliquo modo nominari possent*.

in the course of the thirteenth century. King James I was particularly generous. In 1229, he donated to Sant Pere income from a mill and water rights on a country estate, and granted the community the right to build a new oven.<sup>11</sup> In 1232, the convent was given his royal permission to hold a weekly market in the village of Montmeló.<sup>12</sup> King James exempted the monastery from a tithe granted to him by the papacy in 1266.<sup>13</sup> For the care of his soul and those of his parents, King James arranged in 1272 for one pound of wax to be given to the monastery annually.<sup>14</sup>

In addition to maintaining harmonious ties with superior powers, the monastery of Sant Pere provided leadership to a subordinate community. In 1079, with the encouragement of the count of Urgel, Sant Pere founded a daughter house at Santa Cecília d'Elins.<sup>15</sup> This dependent community is not often mentioned in Sant Pere's documentation. It is clear, however, that the ties between the two convents were maintained throughout the thirteenth century. In 1268, Alamanda d'Alentorn, the abbess of Santa Cecília, pledged her obedience to Ermessenda de Pax, abbess of Sant Pere.<sup>16</sup> Alamanda promised "for my part and that of all my successors to you, Lady Ermessenda, with my hands within yours, obedience and a debt of reverence and to serve you and your successors with all my ability."<sup>17</sup> The words were beautiful, but whether they expressed a formula or a sincere emotional bond is unknowable. Equally obscure are the particulars of Santa Cecília's service to Sant Pere.

Benedictine monasteries like Sant Pere represented only one of a myriad of options open to people who wanted to pursue a religious vocation in the thirteenth century. The age was marked by a proliferation of religious orders. As a large urban center, Barcelona contained representative houses from most major, and a variety of minor, foundations. It also continued to nourish traditional Benedictine groups.

<sup>11</sup> ASPP, Privilegis reials, thirteenth century, 1.

<sup>12</sup> ASPP, Privilegis reials, thirteenth century, 2.

<sup>13</sup> ASPP, Privilegis reials, thirteenth century, 6.

<sup>14</sup> ASPP, Privilegis reials, thirteenth century, 7, *ob remedium anime nostre et parentum nostrorum*.

<sup>15</sup> See Cabré, 202–9 for an account of the circumstances of the founding.

<sup>16</sup> ASPP, Butlles pontificies i documents procedents de la curia romana, thirteenth century, 4.

<sup>17</sup> ASPP, Butlles pontificies i documents procedents de la curia romana, thirteenth century, 4, *promito pro me et omnes succedentes michi in ipso monasterio vobis domine Ermessendi . . . obedientiam et debitam reverenciam missis meis manibus infra vestris et toto posse meo servare vobis et successoribus vestris*.

The community of Sant Pere held a significant place in this network of religious houses. Its relations with other religious groups varied from harmonious to fractious. Sant Pere's relationship with the Dominican house of Santa Caterina seems to have been particularly cordial. In 1266, the monastery sold a small piece of property to Santa Caterina.<sup>18</sup> On at least two occasions during the thirteenth century the nuns of Sant Pere sought the counsel of the Dominican friars on business matters. When selling two tracks of land in 1255 Abbess Ermessenda Pax specifically mentioned having sought the advice of a Dominican Father Ramon.<sup>19</sup> In one of the largest transactions undertaken by Sant Pere, a land sale in 1286 valued at 2500 *sous*, the Dominicans were again consulted.<sup>20</sup> Bernard Arberti, the procurator of Santa Caterina, added his signature to the bill of sale and swore that the transaction was made "for the great advantage and utility of this monastery of Sant Pere."<sup>21</sup>

Predating these three sales in 1250, an intriguing document was drawn up in which Sant Pere recognized the right of parishioners from its parishes to be buried at Dominican churches and cemeteries.<sup>22</sup> What moved the monastery to make this concession is unclear. Throughout this time period Dominicans and Franciscans were often in conflict with urban parishes over burial rights. The mendicants received papal support, however, for their right to inter any of the faithful departed who elected their ministrations. In the preamble of this document the abbess of Sant Pere acknowledged that the Dominicans had received burial privileges "from the Holy Father."<sup>23</sup> She also cited the convent's "absolute reverence for apostolic concessions"—an understandable sentiment in light of Sant Pere's own papal ties.<sup>24</sup> The latter half of the document, however, revealed another, more practical motivation for Sant Pere's consent beyond this gracious respect for papal jurisdiction. The abbess made it clear that the monastery was to receive one sixth of all legacies given to the Dominicans by Sant Pere parishioners. The agreement might thus

<sup>18</sup> ASPP, 325.

<sup>19</sup> Arxiu Diocesà de Barcelona, Collectio Santa Ana, folder 13, number 9, *cum consilio fratris Raimundi de ordine fratrum predicatorum*.

<sup>20</sup> Arxiu Capítular de la Catedral de Barcelona, parchments, 1-1-384.

<sup>21</sup> Arxiu Capítular de la Catedral de Barcelona, parchments, 1-1-384, *ad magnum commodum et utilitatem ipsius monasterii Sancti Petri*.

<sup>22</sup> ASPP 252.

<sup>23</sup> ASPP 252, *tenorem privilegii earum ordeni a domino Papa*.

<sup>24</sup> ASPP 252, *salva reverencia concessionis apostolice*.

have been a way for the convent to retain a portion of burial income that could have been lost completely through contested litigation.

Sant Pere's dealings with the Hospitallers were not quite as cordial as those with the Dominicans. The one documented encounter between the monastery and the Hospital of Sant Joan concerned a conflict between the two communities.<sup>25</sup> One of Sant Pere's mills received water from the Besòs river. To get to the mill the water flowed through a canal that crossed land owned by the Hospitallers. Sant Pere wanted to use wood collected from the Hospitallers' land to maintain the canal; the Hospitallers wanted to use water from the canal to irrigate their land. In 1251, Abbess Ermessenda of Sant Pere and Brother Berenguer of the Hospital of Sant Joan presented themselves to Berenguer Torre, a Barcelona canon, in order to create a mutually agreeable compromise. The resulting contract was entered into "amicably" but included a twenty *morabatin* fine if broken.<sup>26</sup> Both parties received what they wanted with some restrictions. Workers from Sant Pere could take wood from the Hospitallers' property but could not completely chop down any tree or take wood from fruit-bearing trees.<sup>27</sup> The Hospitallers could divert water from the canal for irrigation but only for a twenty-four hour period on Fridays from April to August.<sup>28</sup> The water was to be for the community's own use and not given to anyone else "for a price or out of love."<sup>29</sup>

The third religious community whose encounters with Sant Pere can be documented is Santa Eulàlia de Campo. In 1239, the two houses had a conflict over a field.<sup>30</sup> Both communities had tenants who claimed to have leased this land—Bartomeu Osona from Sant Pere and Guillem Corbera from Santa Eulàlia. The dispute became more heated in the spring of that year, when Corbera prepared the field for planting only to have Osona, with the aid of Sant Pere's procurator, sow the land with his own seed when Corbera was absent. The case was brought for judgment to Ramon Riera, who ruled

<sup>25</sup> ASPP, 259.

<sup>26</sup> ASPP, 259, *tandem partes amicabilem compromiserunt . . . sub pena viginti morabatinorum.*

<sup>27</sup> ASPP, 259, *non tangerent arborem aliquam ad radicem . . . non tangent aliquam arborem fructuosam.*

<sup>28</sup> ASPP, 259, *in quinque mensibus anni scilicet in aprili semel tantum madio semel tantum junio julio et augusto . . . in die veneris scilicet in die et in nocte.*

<sup>29</sup> ASPP, 259, *nec liceat comendatori vel hominibus suis predictam aquam locare seu concedere hominibus non suis precio vel amore.*

<sup>30</sup> ASPP, 212.

against Sant Pere. Eleven years later in 1250, the two communities were in court again. This time the dispute concerned a tract of land in Parets de Plantes. After an initial trial and at least two appeals, Sant Pere once again emerged the loser.<sup>31</sup> It is very likely that the monastery of Sant Pere in the thirteenth century had a wide variety of encounters with other religious communities. Unfortunately, the accounts described above are all that survive. It is also quite possible that the convent had positive relationships with other groups in addition to the Dominicans. But, as in modern times, conflict absorbed more attention and generated more documents than harmony. This may increase the significance of the survival of four documents testifying to a positive relationship between Sant Pere and the Dominicans. The converse, however, cannot be given equal weight.

The convent's relations with secular society are uncovered only through a litany of litigation as well. The monastery of Sant Pere was actively engaged with the world outside the cloister walls through its many and varied property holdings. The abbess especially was forced to occupy herself with secular affairs through a variety of administrative responsibilities. Her activities included overseeing the lease, transfer, and acquisition of convent lands and the smooth operation of the communities ovens, mills, and markets. In addition to such routine tasks, the management of the convent's assets also involved mediating occasional conflicts. On at least three occasions during the thirteenth century disputes arose between tenants of the monastery.<sup>32</sup> While the abbess did not try these matters herself, in each case she did appoint the judge. Also infrequent, but tremendously important, were those instances when the abbess was called upon to prevent the world at large from encroaching on the property and rights of the monastery. Sant Pere's land holdings were vast and were leased out in a myriad of units not uniform in size or quality. In addition, individual plots could be subdivided and subleased so that at times the convent was a landlord twice or even three times removed from the person who actually farmed a given piece of land. The complexity and piecemeal nature of this network of ownership led some enterprising souls to try to take advantage of

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<sup>31</sup> Arxiu Diocesà de Barcelona, *Collectio Santa Ana*, folder 8, no. 185 is and account of the second appeal.

<sup>32</sup> ASPP, 269, 351, and Arxiu Capítular de la Catedral de Barcelona, parchments, 1-6-3860.

a distant landlord. The monastery of Sant Pere went to court on at least four occasions in the course of the thirteenth century to defend its title to particular holdings. In 1227, Sant Pere had to defend its ownership of a piece of land against the claim of Berenguer Vidiana.<sup>33</sup> The monastery had acquired the property some thirty years previously. Vidiana asserted that the land was his and had been sold to the convent without his knowledge or approval. The judge, Bernat Delfi, was not particularly impressed with Vidiana's suit, especially since he waited thirty years to bring it, and ruled in favor of Sant Pere.

A field was the object of litigation between Sant Pere and the heirs of Bernat d'Ort in 1250.<sup>34</sup> A previous suit concerning this property had been brought to court some time earlier by Ort himself.<sup>35</sup> At that time Ramon Mataró had represented the convent. The wheels of medieval justice apparently moved as slowly as their modern counterparts for by 1250 both Ort and Mataró had died. The case was then argued by Guillem Pinells for Sant Pere and by Bertran Alfi and Arnau Gualba representing Ort's widow and child. Both sides claimed that they were the rightful owners of the field. Sant Pere won the dispute.

Sant Pere was also successful in defending its claim to a piece of land in Alvià in 1256.<sup>36</sup> The challenge came from Ramon de Motseny. The document describing this litigation was very brief. Apparently the case was dismissed quickly when the abbess of Sant Pere was able to produce a parchment verifying the convent's title to the land. The last case involving Sant Pere in a dispute over property ownership occurred in 1260.<sup>37</sup> The conflict concerned a vineyard. Bernat de Palau claimed that he bought the land from Guillem de Palaudàries as a free hold. Sant Pere was able to produce documentation showing that Palaudàries had leased this vineyard from the monastery. It was unclear whether Palau had been deliberately misled in his purchase of the land or whether it was in fact he himself who was perpetrating the fraud. In either case Palau was ordered to pay Sant Pere an annual rent on the vineyard.

In each of the four conflicts outlined the monastery of Sant Pere was successful in defending its title to land that others claimed as

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<sup>33</sup> ASPP, 167.

<sup>34</sup> ASPP, 253.

<sup>35</sup> ASPP, 253 mentions this earlier litigation but gives no date.

<sup>36</sup> ASPP, 285.

<sup>37</sup> ASPP, 299.

their own. Ownership, however, was not the only issue to be disputed. One interesting case which occurred in 1254 concerned the convent's right to approve transfers of its property from one lessee to another.<sup>38</sup> Pere Vennell held some 1200 *sous* worth of land in the valley of Esplugues for Sant Pere. Upon his marriage he transferred the title of this land to his new wife as part of their spousal agreement without obtaining the monastery's approval—or paying the requisite fee. In 1254 he was taken to court by the abbess of Sant Pere for this transgression. Vennell freely admitted to having made the transfer. His only defence was to assert that in the past such transfers between spouses could be done in Esplugues without a landlord's consent.<sup>39</sup> Unimpressed with local traditions, the judge ruled in favor of the abbess and ordered Vennell to pay the alienation fee.

In addition to litigation over existing land holdings, the monastery of Sant Pere sometimes had to face challenges over new acquisitions. One of the most common ways in which the convent expanded its assets was through donations. The generosity and piety that motivated individual benefactors was not always appreciated by that person's family, however. In 1242 the country estate of Saler was left to Sant Pere by Guillem de Font.<sup>40</sup> Her husband Bernat contested the will. The case was submitted to three judges for arbitration.<sup>41</sup> The resulting compromise was favorable to Sant Pere. The monastery retained the land while Bernat received all of Guillem's moveable property. Sant Pere was also involved in litigation over the estate of Bernat Blet.<sup>42</sup> The monastery was named in his will as universal heir. The testament was contested by Bernat's brother Jaume Blet on behalf of their two nieces, the children of their deceased sister, Guillem. This time there was no compromise. The convent retained the entire estate. Lest this be interpreted as medieval callousness to orphans, the father of the two girls was still alive, as witnessed by his signature on the document.

The most controversial donation made to the monastery of Sant Pere was contained in the will of Lady Saurina, widow of Ferrer Suau. Saurina and Ferrer had three daughters: Guillem, Berenguera,

<sup>38</sup> ASPP, 275.

<sup>39</sup> ASPP, 275, *usaticus longevus est in valle et in parrochia de Spelluncis quod viri obligant et consueverunt obligare omnia bona sua uxoribus suis dominis irrequisitis.*

<sup>40</sup> ASPP, 218.

<sup>41</sup> One of the judges was a woman, Lady Saurina de Santmartí.

<sup>42</sup> ASPP, 475.

and Geralda (or Geraldona). Berenguera became a nun at Sant Pere; Guillema and Geralda were married. After the death of her husband, Saurina joined Berenguera at Sant Pere and took the veil. In September of 1256, Lady Saurina wrote her will.<sup>43</sup> She mandated that the bulk of her estate, including 1100 morabatins from property given to her by her late husband at the time of their marriage, be divided equally between her three daughters and the convent of Sant Pere "as if it [the convent] were one of my legitimate children."<sup>44</sup> Saurina herself seemed to be aware that to make the monastery a co-heir with her daughters was an unorthodox move. At the end of her testament she appealed to the bishop of Barcelona to see that her wishes were carried out.

Lady Saurina departed this life before the year was out. As she had suspected, her heirs were not pleased with the terms of her testament. The document was subject to arbitration between the two married daughters and the convent of Sant Pere. The resulting agreement left Sant Pere in a much less favored position than Lady Saurina had envisioned.<sup>45</sup> Guillema and Geralda conceded to the convent the complete hereditary portion due to their sister Berenguera from both their father's and their mother's estates. They also conceded all of their mother's movable property except for 500 sous.<sup>46</sup> In exchange Sant Pere agreed to pay Guillema and Geralda fifty *morabatins*, take care of all of Lady Saurina's debts, and give up any rights to any land or property that they held because of "donations, wills, or entrance gifts" from Lady Saurina and Berenguera.<sup>47</sup> Sant Pere's assets did not just consist of landholdings. The administration of utilities such as ovens and mills also absorbed the abbess's time and attention. It would seem that the convent kept much tighter controls over these commodities, particularly by offering their operators only life-term leases. Fees on mills and ovens were not collected annually but

<sup>43</sup> ASPP, 284.

<sup>44</sup> ASPP, 284, *Dimitto Guilleme et Berengarie moniali cenobii Sancti Petri et Geralde filiabus meis et predicto monasterio tamquam uni filiarum mearum legitimam unicuique earum et eidem monasterio pertinentem in ipsis mille et centum morabatinis quos ego attuli in honore dicto Ferrario Suavis marito meo tempore nuptiarum nostrarum et etiam in omnibus aliis bonis meis qua ego habeo et habere deo ubique aliqua ratione.*

<sup>45</sup> ASPP, 282.

<sup>46</sup> This 500 *sous* seems to have been some sort of support payment that the daughters owed to their mother, i.e., *quingeni sous quos nos ei debebamus ratione sui victus*. ASPP, 282.

<sup>47</sup> ASPP, 282, *ratione donacionis testamenti seu ingressus predictarum personarum.*



rather monthly or even weekly. The more vigilant management of these assets, however, did not prevent the monastery from being drawn into at least one extended legal battle over its mills.

The exact number of mills belonging to Sant Pere in the thirteenth century is difficult to determine. It is also unclear exactly how much income they generated for the convent. The best suggestion is contained in a royal document written in 1229 which placed Sant Pere's weekly income from the "Mill of Sant Pere" at eight quarts of wheat and one of barley.<sup>48</sup> This same document stipulated that Sant Pere also received the tithe from this mill. Controversy over this latter fee generated a lawsuit in 1245.<sup>49</sup> The case resembled a modern-day class action suit. Quintí and Berenguer Soler as procurators represented "the millers of the mills of Sant Pere."<sup>50</sup> These millers were bringing an appeal to James I to protest Sant Pere's right to collect the tithe on the mills. The document does not state the number or name of either the mills or the millers involved. Reference was made in Sant Pere's defense, however, to a previously granted royal privilege entitling the monastery to the tithe.<sup>51</sup> On the basis of this privilege the royally appointed judge, Pere Albert, sided with Sant Pere.

The case was not closed with this first ruling. The tenacious millers pursued an appeal in 1248.<sup>52</sup> A second royally appointed judge, Guillem Vic, upheld the previous decision. In addition, he ordered the millers to pay his salary of fifty *sous*.<sup>53</sup> The last word on the millers came in 1251. A document generated during that year gave some insight into the practical arrangements of tithe paying.<sup>54</sup> The case centered on arbitration rather than litigation and concerned only one mill, the *Molendina de Covalleria*. This mill was identified as belonging to the group of "Mills of Sant Pere."<sup>55</sup> The issue was not whether a tithe should be paid but how much and on what schedule. The workers of this mill, Mabilia, the widow of Pere Blanes, and

<sup>48</sup> ASPP, Privilegio reials, thirteenth century, 1.

<sup>49</sup> ASPP, 231.

<sup>50</sup> ASPP, 231, *Quintinum et Berengarium de Solerio procuratores molnariorum molendinorum Sancti Petri*.

<sup>51</sup> ASPP, Privilegio reiales 1, dated 1229, predates ASPP 231 and grants Sant Pere a tithe on a mill. It might, therefore, be logical to assume that this is the document referred to here.

<sup>52</sup> ASPP, 240.

<sup>53</sup> ASPP, 240, *Item condemnpo superdictos mulnerios in expensis scilicet in quinquaginta solidi quos distis procurator mihi dedit per salario*.

<sup>54</sup> ASPP, 256.

<sup>55</sup> ASPP, 256, *quod est in casali molendinorum Sancti Petri*.

Berenguer and Maria Vall, agreed along with the abbess of Sant Pere to abide by the determination of an episcopal judge, the Canon Bernat Pedrer. The tithe was set at twelve and one half quarts of grain per year. The payment schedule was to be one quart monthly—with the exception of one and one half quarts in March. It is possible that similar compromises were negotiated with all the millers represented in the larger suit.

The right of the monastery of Sant Pere to collect a tithe was the central issue in other legal disputes involving the convent during the thirteenth century. In 1215, a hearing was held between Sant Pere and the Barcelona canons to agree on boundaries between the parish of Sant Pere and that of Santa Maria del Mar.<sup>56</sup> At stake was a variety of parochial rights including the tithe and first fruits. Witnesses for both sides were in rough agreement as to where the border lay between the two parishes, however. At the same time the two parties discussed the boundaries between the parishes of Sant Sadurní in Montornès de Vallès and Santa Maria in Montmeló. Santa Maria was under the jurisdiction of the monastery of Sant Pere. This latter round of negotiations did not go smoothly and remained an unresolved source of conflict for several decades.<sup>57</sup>

The three disputes about tithe collection all concern property over which the monastery of Sant Pere held parochial jurisdiction. The convent, however, sometimes held the right to the tithe on lands lying outside its parish boundaries. In 1234, the abbess of Sant Pere and her procurator, Ramon Mataró, were taken to court by Pere de Sant Hilari, the rector of the parish of Sant Andreu de Palomar.<sup>58</sup> Sant Hilari wanted to force the convent of Sant Pere to stop collecting the tithe and first fruits from property the convent owned within the parish boundaries of Sant Andreu. Such income, he argued, rightfully belonged to the parish and should be used for the support of its clergy. To defend the convent's position, the abbess argued that the right to the tithe and first fruits on the property in the parish of Sant Andreu had been granted to the monastery at the time of its founding by the bishop of Barcelona. Her claim was supported by a document outlining the privilege.<sup>59</sup> Sant Hilari then contended that the

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<sup>56</sup> ASPP, 143.

<sup>57</sup> For a full account see McMillin, "Gender and Monastic Autonomy."

<sup>58</sup> ASPP, 194.

<sup>59</sup> This document is mentioned in ASPP 194, but no details, not even a date, are given. I have not found any record of this donation in the archives of Sant Pere.

bishop had made this donation without the consent of the cathedral chapter, as evidenced by the fact that there were fewer than five canons' signatures on the parchment. Gerald Sagàs, a Barcelona canon who served as judge in the case, was interested in compromise. He ruled in support of Sant Pere's right to the tithe but granted the first fruits to Sant Hilari.

The settlement did not placate either side and the case went on to be appealed. Two documents survived which gave insight into this second trial. In addition to the standard document summarizing the case and judgment, an additional parchment presented a transcript of the trial's proceedings.<sup>60</sup> The transcript described a series of court dates spanning a ten-month period. Nine continuances were granted because of the inability of one side or the other to compel their witnesses to appear. In the end four witnesses testified on behalf of Sant Hilari and two for the abbess of Sant Pere. The latter presented an especially strong case by outlining where and how the monastery had received the tithe and first fruits within the parish boundaries for the preceding forty-three years. The final judgment on the case was made by Arnau, the prior of Sant Pau del Camp, in September of 1237. Citing both the original episcopal grant and Sant Pere's papal privilege, both of which "have much power . . . and should not be inutile or vain," Arnau ruled that the monastery was entitled to both tithe and first fruits.<sup>61</sup>

The monastery of Sant Pere built up a complex network of associations with the world outside the cloister walls throughout the thirteenth century. It enjoyed favor and protection from both papal and royal powers. It provided leadership to peer communities and dependant tenants. It was vigilant in protecting its legal and economic rights from any encroachment by religious or secular parties. Sant Pere de les Puel·les can stand, then, as a small but integral part of the greater Barcelona community of the thirteenth century.

<sup>60</sup> ASPP, 203 is the summary; ASPP, 478 provides the transcript.

<sup>61</sup> ASPP, 203, *habent plenitudinem potestatis ac . . . non debeant esse inutiles neque vane*. In his recent work on the parish of Sant Andreu, *Una vila del territori de Barcelona: Sant Andreu de Palomar als segles XIII–XIV* (Barcelona, 1991), 171–75, Joan J. Busqueta i Riu cites Sant Pere as one of the largest landowner in the parish of Sant Andreu.



RANSOMERS OR ROYAL AGENTS:  
THE MERCEDARIANS AND THE ARAGONESE  
CROWN IN THE FOURTEENTH CENTURY

*James W. Brodman*

On September 26, 1366, Brother Nicolau Peris, master general of the Order of Merced, granted an unusual privilege to King Peter the Ceremonious,—to wit, the authority to summon, select and appoint any Mercedarian brother to perform any mission or service for the crown without seeking the approval of either the master or the brother's immediate superior. Any friars so engaged, furthermore, were enjoined by their vow of holy obedience to follow the king's commands and to conduct his business to the best of their ability.<sup>1</sup> What motivated Brother Nicolau to give the king such sweeping power over individuals within his order, despite the potential damage to its institutional autonomy as well as to the master's own authority? In order to answer this question, we will have to explore the relationship between the Mercedarian Order and the royal court as it developed from the reign of James II to that of Peter the Ceremonious.

In the 1366 document, the master cites one principal reason for his extraordinary concession to King Peter, namely the royal claim, quoted in the king's own words, that the Peter's ancestors were the founders and patrons of the Order. Thus, Brother Nicolau concluded, the brethren should not want to appear before God as ungrateful for the benefits which the crown had confirmed upon them. On this basis, Peter had evidently argued that the royal foundation gave the House of Barcelona a right of patronage over the Order. Brother Nicolau, by reminding the king that his own appointment was papal, probably did not accept all the implications of King Peter's claims. Nonetheless he was either unable or unwilling to resist the royal will and conceded what was being asked of him.

King Peter's appeal to ancestral right was not new in 1366.<sup>2</sup> In an

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<sup>1</sup> ACA, Monacales, 2676, fol. 450r; printed in Regina Sáinz de la Maza Lasoli, "Los Mercedarios en la Corona de Aragón," *Miscelánea de Textos Medievales* 4 (1988): no. 15, pp. 270–1.

<sup>2</sup> For example, in addressing his officials in February, 1356, the king cites as his

earlier letter to Pope Innocent VI on January 11, 1358, in what might well be the first written account of what would become the Mercedarian foundational story, he stated that his ancestor, King James I, before the altar and tomb of Santa Eulalia in Barcelona's cathedral, founded the Order and established lay brothers as its members.<sup>3</sup> Peter continued to affirm this event throughout his reign and, afterwards, John I and Martin did so as well.<sup>4</sup> Indeed, by the sixteenth century, the one-time Order of Captives, or Order of Santa Eulàlia, or Order of Merced—to use its most common thirteenth-century titles—came to be known as the *Royal and Military Order of Our Lady of Merced for the Ransoming of Captives*.

Other evidence shows that King Peter was not the first Aragonese king to claim a special relationship with the Mercedarians. Its earliest citation is contained in James I's concession of the Monastery of Sant Vicent in Valencia to the Mercedarians in 1255. In his diploma, the Conqueror states: "We who are its patron and founder, wishing to bestow on its benefits and honor and that it may go from good to better." And in defending this concession the following year, James reiterated his paternity, stating "thinking of the sort of order we have created."<sup>5</sup> I have argued elsewhere that this claim is not to be taken literally,<sup>6</sup> and indeed the only two diplomas that contain this patronal reference have no medieval copies and are not among the documents copied by the Order's archivists in the eighteenth century. King James, at any rate, did not repeat this claim in any charters issued previously or posteriorly, even in the two key privileges that Merced obtained from him conferring the royal *guidaticum* and granting it an unique exemption from the usual prohibition against

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reason for protecting the brethren Merced's foundation by his ancestors; the same is given as reason to royal officials for his preference for the Mercedarians over the Trinitarians in a letter of March 14, 1361: Maza Lasoli, no. 3, pp. 258–59; no. 6, pp. 261–62.

<sup>3</sup> Ibid., no. 4, pp. 259–60.

<sup>4</sup> Ibid., no. 212, p. 76, (June 18, 1371); no. 22, p. 277, (1373); no. 34, p. 289, (May 4, 1389); no. 36, p. 291, (December 16, 1390); no. 44, p. 297 (November 15, 1397).

<sup>5</sup> Manuel Mariano Ribera, *Centuria primera del real, y militar instituto de la inclita religión de Nuestra Señora de la Merced redempción de cautivos cristianos* (Barcelona, 1726), 172–3; idem, *Real patronado de los serenísimos señores reyes de España en la real y militar orden de Nuestra Señora de la Merced, redención de cautivos* (Barcelona, 1725), 305.

<sup>6</sup> See my "The Origins of the Mercedarian Order: A Reassessment," *Studia monastica* 19 (1977): 353–60; and my "The Mercedarian Order: The Problem of Royal Patronage," X *CHCA* (Zaragoza, 1982), 3:71–6.

the transfer of royal lands (*reialenc*) to religious corporations.<sup>7</sup> Furthermore, King James, in so far as we know, did not intervene in the internal governance of the Order, even during a period of domestic turmoil during the 1250s and 1260s. The same can be said of his successors, Peter the Great and Alfonso the Liberal. Indeed, it is not until the reign of James II that royal interest in the Order intensifies.

Almost a hundred extant royal documents chronicle James II's dealings with the Mercedarian Order. In many of these, the king is merely confirming older privileges, aiding ransomers, or else attending to complaints and suits brought before him. This king's regard for the Mercedarians, however, clearly went beyond his usual dealings with a religious order. In part, this stems from the struggle that developed between the lay and clerical brothers for power within the Order. It was during this dispute, which lasted from 1301–17, that direct royal intervention into Mercedarian affairs becomes apparent. James II, for example, interdicted any sale of Mercedarian property, moved the site of the chapter in 1309, attempted in 1313 to prevent the chapter from taking certain actions, and in 1315 summoned the master to court to defend his actions.<sup>8</sup> In order to justify these interventions, King James cited his family's attachment to the Order. At first, he merely claimed a tradition of support. For example, when he wrote to Pope Boniface VIII in early 1302, he noted that James I had given the Order the hospital of Santa Eulàlia in Barcelona. In fact, it was given to Pere Nolasc in 1232 by Ramon de Plegamans, but James I did indeed grant confirmation in 1250, and the royal emblem to wear on its habit, which was actually conceded in 1251.<sup>9</sup> Then, in 1304, in seeking to block any alienation of Mercedarian property by presumably dissident brothers, the king again referred to this patronage, past and present, of the royal family.<sup>10</sup> By 1309,

<sup>7</sup> For the privileges, see ACA, Monacales, 2676:530r–v (June 13, 1251); 2676:486r–v (March 12, 1254). Only in 1403 did Martin I remove the prohibition against clerics other than Mercedarians from acquiring crown land: *Furs de Valencia*, ed. G. Colom and A. Garcia (Barcelona, 1974–), 4:172–4, 4.19.15–6. See also J. W. Brodman, “*Exceptis militibus et sanctis*: Restrictions upon Ecclesiastical Ownership of Land in the Foral Legislation of Medieval Castile and Valencia,” *En la España Medieval* 15 (1992): 72.

<sup>8</sup> ACA, Cancillería real, R. 146, ff. 96v, 131, 37r–v; R. 143, ff. 213v–214r; Monacales, 2663, ff. 57, 59.

<sup>9</sup> For James II's letter to the pope, see ACA, Cartas reales, no. 1335; for Plegamans, see Monacales, 2676:265r; for James I's confirmation, Monacales, 2663:3; for the royal emblem, Monacales, 2676:530r–v.

<sup>10</sup> ACA, Cancillería Real, R. 131, ff. 37r–v, 38r.

however, the royal position begins to change, probably because papacy had begun to assert its own authority over Mercedarian affairs. First brought into the dispute in 1302 by James himself, who hoped that the pope would simply confirm the recently elected laic master, the papacy in 1308 deposed that master, promoted his principal clerical rival to the rank of prior, and appointed a new and seemingly compliant lay master.<sup>11</sup> With his own candidate for master deposed and with renewed fighting between priests and lay brothers, James in the very next year tries to assume the role of peacemaker, asserting now—and for the first time—that “your order is known to have received its beginning (*iniciium*) from our predecessors.” And in 1310, he even more confidently stated that “the same king [meaning James I] established the Order of Merced of Captives.”<sup>12</sup> Despite his continued pleading on behalf of the lay brothers and of individual lay commanders, the king was clearly fighting a losing battle, a fact that he seems to have conceded by the end of 1314, when royal correspondance on the matter seems to have ceased. James’s attempt to exercise control over the Order by asserting it to be a royal foundation gave way to papal claims; indeed the final disputed election between the two factions was annulled in 1317 by Pope John XXII who successfully reasserted the papacy’s right to appoint the Mercedarian master.<sup>13</sup>

During subsequent decades, the popes successfully defended their new power to appoint Mercedarian masters, despite the Order’s own attempts to preserve that right for the Chapter and the bishop of Barcelona. There is reason to suspect that the king, particularly Peter IV, was not always pleased with the resulting papal appointees. Indeed, on March 21, 1368 Peter wrote to Urban V to claim a *ius patronus* over the Mercedarian Order on the basis of its royal foundation. Furthermore, in an obvious effort to regain control of the Mercedarians, and ignoring the reality of papal appointment, he asked that Order be permitted to elect its own masters without the need of any subsequent papal confirmation that, he argued, overburdened its resources and detracted from the ransoming of captives.<sup>14</sup> Nearly five

<sup>11</sup> See my *Ransoming Captives in Crusader Spain: The Order of Merced on the Christian-Islamic Frontier* (Philadelphia, 1986), 37–8.

<sup>12</sup> ACA, Cancillería real, R. 143. ff. 213v–214r; R. 144, f. 234rv.

<sup>13</sup> *Bullarium coelestis, ac regalis ordinis B. Mariae Virginis de Mercede Redemptionis Captivorum*, ed. José Linás y Aznor (Barcelona, 1696), 37.

<sup>14</sup> Maza Lazoli, no. 17, p. 272.



years later, ca. 1373, Peter again wrote to Avignon, this time requesting episcopal exemption for the Mercedarians. While in theory this would enhance papal control and supervision of the Order, in fact such a privilege would more likely promote a greater independence or, perhaps more to the point, royal dependence.<sup>15</sup> While these royal petitions were unsuccessful, as evidenced by the roles played by the bishop of Barcelona and Pope Benedict XIII in the 1403 election of a new master,<sup>16</sup> they are clear indications that Peter desired to tighten his control over the Mercedarians.

Two prior incidents suggest his motivation. The first occurred in the 1350s when the papal-appointed master, Ponce de Barelis, petitioned the papacy to permit the Mercedarians to be merged into "another order", presumably that of the Trinitarians. One can speculate about Brother Ponce's motives—the debilitating effects of the Bubonic Plague, the common Occitanian character of the Trinitarians, the papacy and his own origins, etc.—but it is clear from a royal letter dispatched to Innocent VI on January 11, 1358 that King Peter was unalterably opposed to the idea. In this missive, the Catalan monarch reiterated his house's service to the church and his family's ties to the Mercedarians. Here, for the first time, he makes the claim that Merced was formally constituted before the main altar of Barcelona's cathedral, and insists that the master and members of the Order traditionally were drawn from among his subjects. Now, the king complained, a foreigner held the mastership [Brother Ponce was from Toulouse] and this person, ignoring rights of the royal house, proposed merging the Order with another, thus abandoning the traditional habit with its Aragonese royal insignia.<sup>17</sup> Why did Peter object to such a merger with the Trinitarian Order? Certainly the cause was not any particular animosity toward that order because he permitted Trinitarians to compete with the Mercedarians in the collection of alms.<sup>18</sup> More likely, the objection arose from his fear that the motherhouse of any combined order would be in France—the Trinitarians were headquartered at Cerfroid northeast of Paris—rather than in Catalonia, to the detriment of his influence and power. Another instance of royal sensitivity over the issues of royal control

<sup>15</sup> Ibid., no. 22, p. 277.

<sup>16</sup> See Guillermo Vázquez Nuñez, *Manual de historia de la Orden de Nuestra Señora de la Merced* (Toledo, 1931–36), 1:281–88.

<sup>17</sup> Maza Lasoli, no. 4, pp. 259–60.

<sup>18</sup> Ibid., 229.

and foreign influence occurred in 1377 when Peter IV protested a papal initiative designed to promote alms collections for captives, fearing that the money collected in his lands would be exported and spent elsewhere.<sup>19</sup> King Peter's protests were successful both times; the Mercedarian Order remained intact and its alms were not sent to other domains. This royal opposition to any form of external control, nonetheless, demonstrates that the Aragonese king, and Peter IV in particular, had come to regard the Mercedarians as part of the royal patrimony. Certainly, it is against this background that King Pere successfully demanded and received from Master Nicolau in 1366 the authority to command individual brothers.

For what purposes did the king wish to control the Order of Merced? Conventional wisdom would argue that its services as ransomers of poor captives was the primary reason. I would argue otherwise. Certainly, the Mercedarians continued to function as ransomers during the fourteenth century; indeed, their activities in this apostolate are far better documented in Peter IV's reign than for any other previous period.<sup>20</sup> Reiteration of previous privileges, royal letters of passage addressed to Muslim rulers, continued support of the Mercedarian effort to raise alms, and direct use of the Order's ransoming facilities testify that Aragonese kings of the fourteenth century, including Peter, continued to value this aspect of Mercedarian service. There are two reasons, on the other hand, which suggest that royal interest in the Mercedarians was not primarily redemptionist. First, and as Maria Teresa Ferrer has shown in her study of ransoming in the Aragonese Crown during the fourteenth century, the Mercedarians were never the sole, or even the principal or preferred royal agents for the ransoming of Christians. Throughout this period, Peter and his family employed ambassadors, consuls, merchants, *excoas* and even other clergy as ransomers. Perhaps even more notably, when the king wished Franciscans ransomed in 1378 and 1395, or royal officials in 1391 and 1395, he asked the Mercedarians to contribute money toward their ransoms but left the actual ransomings to others.<sup>21</sup> A second reason perhaps helps to explain this seeming lack of royal confidence: the Mercedarians were not always the most

<sup>19</sup> Maria Teresa Ferrer, "La redempció de captius a la corona catalano-aragonesa (segle XIV)," *AEM* 15 (1985): 253.

<sup>20</sup> See not only my *Ransoming Captives*, 104–16, but also the studies by Maria Teresa Ferrer, 269–73 and Maza Lasoli, 233–9.

<sup>21</sup> Ferrer, 247–51.

effective of ransomers. From at least the 1250s the Order suffered from a great deal of internal strife, causing James II to complain in 1313, for example, that the scandals were diminishing the brethren's ability to collect alms and fulfill the mission of ransoming.<sup>22</sup> In 1384, there were complaints from officials at Morella that Mercedarians refused to ransom certain local citizens despite the support that the town had given to the Order's alms campaigns; in 1395, King John I had to rebuke the master for impudence because he had refused a royal request for money toward the ransom of Berenguer de Lacina. Between 1378 and 1382 the Order effected no ransomings at all, and only two missions are known between 1383 and John I's command in May, 1395 that ransomers be sent to Bône in Africa. While the record is obviously full of lacunae, still only eleven Mercedarian ransomings are recorded for the second half of the fourteenth century.<sup>23</sup>

Despite this spotty record of success, King Peter and his dynasty were consistent supporters of the Mercedarians in their efforts to raise alms, and defenders of the brothers against even legitimate charges of corruption, misconduct and malfeasance.<sup>24</sup> Why? I believe that the answers are fiscal and political. On one level, there is evidence to suggest that the king had acquired some control over several Mercedarian estates or *encomiendas*, and consequently over the friars, called commanders, who controlled them. James II's defense of the lay brothers during the early fourteenth-century schism, and particularly of lay commanders like Berenguer Queralt who controlled the Order's patrimony in Murcia and southern Valencia, raises suspicion,<sup>25</sup> as do the actions of Martin I who incorrectly informed the bishop of Murcia in 1401 that the latter had no rights over the *encomienda* of Elche because these rights had been conferred by the papacy upon the kings of Aragon as founders of the Order.<sup>26</sup> Evidence suggests a similar connection between the king and the *encomienda* of Puig in Valencia, whose original lands were given to the Order in 1240 by James I and subsequently augmented by his successors.<sup>27</sup> In 1344 and in the

<sup>22</sup> ACA, Monacales, 2663:56.

<sup>23</sup> Maza Lasoli, 236–8.

<sup>24</sup> For example, in 1386 the king protested the violent attack by the officials and residents of Puig in Valencia against the Mercedarian community, despite the obvious recent provocation caused by several of the brothers who had deflowered several local wives. For other examples, see Maza Lasoli, 241–2.

<sup>25</sup> ACA, Monacales, 2663:60.

<sup>26</sup> Maza Lasoli, 270.

<sup>27</sup> ACA, Monacales, 2676:440r–v; Cancillería real. R. 199, ff. 98r–v.

last magisterial election to be held that century, Vicent Riera, Puig's commander, was chosen master and, perhaps more significantly, his successor at Puig, Domènec Serrà, received his command at the king's request. Is it a coincidence that when Brother Vicent died in 1345 he was replaced as master by Brother Domènec, or that when the latter died of the plague in 1348 he is said to have died rich?<sup>28</sup> King Peter had little influence over the selection of the next master, Brother Ponce de Barells, the former commander of Perpignan, whom he described to the pope in 1358 as a man who "is not drawn from our people."<sup>29</sup> In any case, when Ponce died in 1365, his replacement was Nicolau Peris, commander of Puig, the same master who only twenty-two months after his appointment was approved by the king's papal ally, handed over to the king sweeping power to command individual Mercedarians. King Peter, himself, acknowledged in 1359 that he already exercised broad authority in nominating commanders, particularly to the houses of Arguines in Valencia and on Majorca. Responding to the complaints of the Occitanian master, Brother Ponce, that several of these nominees were unfit for office and even insubordinate and disobedient to the Order, the king pleaded ignorance of their qualifications and allowed that in the future the master could veto specific nominees if he knew them to be unfit.<sup>30</sup> This concession to competence clearly did not prevent King Peter from maintaining close relations with at least some Mercedarian commanders. When, for example, the commander of Vic, one Pere Gilmon, became destitute in 1379 and was threatened by episcopal officials, Peter appointed him as a royal chaplain and ordered the diocesan authorities to cease their action against him.<sup>31</sup>

During the fourteenth century, other brothers had developed similar relationships with the king, by becoming his familiars, or table-companions, or chaplains, or domestics. The earliest indication that I have discovered of this goes back to 1316 when the commander of Tortosa informed the king of an attack upon one of his brothers, Guillem Rovira, by a local resident who might have harmed Guillem had not he been restrained by "those who were there from the household of the lord king and by other brothers."<sup>32</sup> But it is not

<sup>28</sup> Vázquez, 219–21.

<sup>29</sup> Maza Lasoli, no. 4, pp. 259–60.

<sup>30</sup> *Ibid.*, no. 5, pp. 260–1.

<sup>31</sup> *Ibid.*, 249.

<sup>32</sup> ACA, Cancillería real, R. 160, ff. 9r–v.

until the late 1350s, almost coincident with the royal promise of 1359 no longer to promote unfit and disobedient brethren as commanders, that a record of such relationships emerges. The first known Mercedarian familiar is Pere Alentorn whose appointment was registered on January 11, 1358, and other appointments continued through the reigns of Peter, John I and Martin I.<sup>33</sup> Guillermo Vázquez argues that the king conferred the titles of familiar, domestic and chaplain as a stronger form of protection for Mercedarians against personal and corporate attacks; and he argues that, when Gregory XI declined in 1374 to exempt Mercedarians from episcopal authority, the king responded by making all members of the Order royal chaplains.<sup>34</sup> This was certainly the case in 1379 when, as we have already seen, Peter extended such protection to the commander of Vic. On the other hand, the continuation of individual appointments indicates that its application was never general, and the Order's own uneasiness with the custom suggests that its protection was not the custom's sole purpose. That the Chapter in 1389 should write to the pope to ask his help in curbing ill-discipline within the Order hints that the source of the trouble was external.<sup>35</sup> The master evidently also had written to the king, for John I on September 13, 1393 acknowledged his complaints that several friars had acquired *cartas familiaritatis* and had been received as "our chaplains" for the purpose of "evading the discipline of the Order."<sup>36</sup>

This brings us to the point of this inquiry—for what reasons did the fourteenth-century count-kings of Aragon wish to control, command or influence individual Mercedarian friars. One reason, I suspect, is fiscal. With well-organized urban and aristocratic oligarchies to limit his actions, these kings were perennially short of revenue. Might not they eye with particular eagerness an ecclesiastical organization whose membership was primarily local and whose principal activity was fund-raising? The king often intervened with local officials and ecclesiastics to protect the Mercedarians' right to collect alms and receive the legacies willed for captives, even against formidable local opposition. For example, on September 25, 1399, Martin I threatened the bishop of Elne and his officials with expulsion from

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<sup>33</sup> Vázquez, 260; Maza Lasoli, 241.

<sup>34</sup> See his Vázquez 260, 281–2.

<sup>35</sup> Maza Lasoli, 240.

<sup>36</sup> Ibid., no. 40, pp. 294–5.

his realms for impeding this Mercedarian activity. In 1370 Peter IV suppressed a successful Majorcan confraternity, the *Sancta Semana*, for the fiscal competition that it gave the Mercedarians.<sup>37</sup> The monarchy also periodically attempted to protect the Mercedarians from their only ecclesiastical rivals, the Trinitarians, but was not entirely successful in this because, as Peter IV was forced to recognize in 1384, the French ransoming order had papal support.<sup>38</sup> What interest did the king have in these accumulated revenues apart from the welfare of captives?

There is no evidence that the king directly received Mercedarian revenues or alms for his own personal use; embezzlements of that kind are known only for renegade brothers.<sup>39</sup> But this does not mean that the king did not benefit from such revenues. In 1309, for example, James II asked the papal court to divert to his campaign against Granada "all the gifts and rents of the brothers of Mercy and of Captives, along with the legacies made to them."<sup>40</sup> In a similar vein, Martin I proposed to the pope in 1405 that the large sums of alms collected by both the Mercedarians and Trinitarians be used for either a joint armada or else for coastal patrols against pirates to prevent people from being captured.<sup>41</sup> Then there are the cases where the king demanded money from the Mercedarians for the ransoms of specific individuals, as John I did in 1389 when he demanded from the Master and Chapter 150 *doblas* toward the ransom of his counsellor, Pere Morera, who had been captured and taken to Algiers.<sup>42</sup> In another example, John asked for 200 gold florins from the Mercedarians of Gerona to aid the Franciscans in liberating two captured minorites. In 1391, the Mercedarians were directed to ransom a royal official captured off the coast of Sardinia.<sup>43</sup> From her study of the chancellery registers, Professor Maria Teresa Ferrer believes that Peter IV frequently intervened in the administration of money collected by the Mercedarians as alms.<sup>44</sup>

<sup>37</sup> Ibid., 231, 248.

<sup>38</sup> Ferrer, 271; Maza Lasoli, 229–31.

<sup>39</sup> For example, in 1398 the commander of Daroca and royal chaplain informed King Martin that renegade brothers were living off alms: Ferrer, 272.

<sup>40</sup> Vicente Salavert y Roca, *Cerdeña y la expansión mediterránea de la Corona de Aragón, 1297–1314* (Madrid, 1956), 2: no. 343, pp. 403–4.

<sup>41</sup> Ferrer, 274.

<sup>42</sup> Ibid., 272.

<sup>43</sup> Maza Lasoli, nos. 37, 43, pp. 292, 296–7.

<sup>44</sup> Ferrer, 254.

While the record has yet to be adequately explored, there is also evidence that Mercedarians served the king in various diplomatic capacities. There is the case of Antoni Blasi, a Mercedarian whom John I described to the Avignonese pontiff, Clement VII, in 1389 as "our dear counselor". In 1387, John had asked this pope to appoint Antoni as Latin archbishop of Athens in Greece, a title he held until his transfer to the see of Cagliari in 1403. Athens had fallen to partisans of the Roman obedience by the time of the new archbishop's appointment and so the Mercedarian prelate remained in Catalonia, where he is reported to have attended a "bibulous" dinner with the king in 1390 and then in 1399 when John died to have crowned his successor, Martin I.<sup>45</sup> A contemporary of Antoni, Pere Tordera, Mercedarian commander on Majorca, was appointed by John I in 1388 as bishop of Sassari on Sardinia, although the weakness of Catalan control prevented Pere from assuming his see.<sup>46</sup> Mercedarians may also have served as intermediaries between Aragon and Castile, particularly during eras of warfare. For example, during the war over Murcia in 1297, James II writes his officials that Brother Nadal, sacristan of the important house of Puig in Valencia, was traveling to Castile "with his licence and will." Although the nature of his business is not specified, a diplomatic purpose is at least conceivable because the Mercedarians of Valencia ruled an important patrimony in Murcia.<sup>47</sup> The Mercedarian, Pere Garcés, was sent by the widow of the important admiral, Roger de Luría, to Italy under royal protection in 1306 for certain unstated business.<sup>48</sup> In 1308, at least one Mercedarian accompanied James II on his expedition against Almería because in 1309 he reimbursed Brother Bernat de Figuerolis "for purchasing of your brown-haired horse that you lost in our service on the present trip against the king of Granada."<sup>49</sup> Peter IV tells us that in 1365, during another war with Castile, Brother Bernat de Prats "for our service and utility of our realms was for some time in the lands of Castile."<sup>50</sup> In 1370, the master himself was in Castile where he was attacked by mercenaries and robbed of some 2,000 florins.<sup>51</sup>

<sup>45</sup> Kenneth M. Setton, *The Papacy and the Levant (1204–1571)* (Philadelphia, 1976), 1:464n.

<sup>46</sup> Vázquez, 258.

<sup>47</sup> ACA, Cancillería real, R. 106, f. 45v.

<sup>48</sup> ACA, Monacales, 2663:38.

<sup>49</sup> ACA, Cancillería real, R. 345, f. 189.

<sup>50</sup> Vázquez, 243.

<sup>51</sup> Maza Lasoli, 224.

If Mercedarians individually were able to be of use to the king, there is evidence to suggest that the monarch also regarded the Order to be collectively helpful. It is at least possible to see some connection between the royal policy to pacify Sardinia and Alfonso IV's establishment of the Mercedarians on the island in 1335.<sup>52</sup> Three years before he sent his fleet to Sicily in 1378 to claim its throne for his second son, Martin, Peter IV wrote to the queen of Sicily requesting that the Mercedarians be permitted to establish residences in Naples and in other places in the kingdom of Sicily.<sup>53</sup> Indeed, the best clue to understanding the position that individual Mercedarians came to occupy in crown policy during the fourteenth century comes from an institution that was introduced into the Crown of Aragon from Sicily, namely that of *familiaritas*. Royal familiars were individuals who became, juridically, members of the royal household, subject only to the king's justice. As such, they were useful as royal agents in places away from court because this judicial immunity from local justice lessened their dependence upon seigneurial, municipal and ecclesiastical power. The institution had been used in Sicily since the days of the Normans and was employed by Peter the Great to consolidate his control within the island realm. During the fourteenth century, it became, according to Hans Schadek, an instrument of Catalan expansion in the Mediterranean, as the kings sought to develop groups of partisans independent of the local nobility on Sicily and Majorca. Schadek does not see the institution becoming clerical until the reign of Martin I, but our discussion of the Mercedarians suggests otherwise.<sup>54</sup> Whether as a commander free of the bishop of Elche's authority, or one immune from the episcopal court of the bishop of Vic, or as a brother dispatched by the king on some mission without his superior's approval, Mercedarians had gained the status of royal familiars. Certainly by the late 1350s, Mercedarians were formally designated with the title; complaints made to the king about renegade familiars suggest that there were more than isolated appointments. But perhaps earlier Mercedarians also acted as royal agents in a fashion similar to what would later be called *familiaritas*,

<sup>52</sup> Vázquez, 209.

<sup>53</sup> Maza Lasoli, no. 25, p. 280.

<sup>54</sup> For Schadek's discussion of *familiaritas*, see his "Le rôle de la familiaritas royale dans la politique méditerranéenne de la couronne d'Aragon depuis Pierre III jusqu'à Alfonso V," IX *CHCA* 3:303-17.



serving as diplomatic agents or perhaps just as powerful local landlords loyal to the king. Now we just have the odd glimpse of Mercedarians functioning in this regard. I suspect that study of the still generally unknown Mercedarian records of the fourteenth century will reveal more of these connections to the crown.

Thus, we seem to have discovered a deliberate royal policy, developed principally by James II and Peter III, to use Mercedarians as royal agents. When possible the monarch attempted to utilize his influence through control of the magistracy, but when this ran counter to papal centralism, the king attempted, through the extraordinary grant of 1366 and the institution of *familiaritas*, to influence individual friars. While details of how the monarchy utilized these Mercedarians is still hazy, this argument provides a plausible explanation for the crown's continued patronage and political support for an order that frequently ran afoul of public opinion and ecclesiastical authority, and which showed itself not always fully committed to its primary work of ransoming. The one foreign master of the era, Ponce de Barelis, attempted to sever these ties by negotiating a merger with the Trinitarians and by protesting the royal appointment of commanders; his failure shows the strength of the king's influence and insured its preservation. Incidentally, this thesis also explains why the Order's other significant province, that of Castile and Portugal, began to act autonomously in matters like ransoming after its establishment in 1319. Thus, the Mercedarian Order, or at least the major part of it that was established in the Crown of Aragon, became in the fourteenth century quasi-proprietorial. Its history thus marks another episode in the shift of ecclesiastical power in the fourteenth century away from the popes to the regional monarchies.



## CONSPIRACY AND COVER-UP: THE ORDER OF MONTESA ON TRIAL (1352)

*Elena Lourie*

The military Order of the Blessed Mary of Montesa, established in 1317 and affiliated to the Order of Calatrava, was given all the ex-Templar, and almost all the Hospitaller, property in the kingdom of Valencia. Yet within thirty years of its foundation, the new Order was under threat of suppression. Peter IV's plan to abolish the Order of Montesa and incorporate it into the Hospital has not received much attention. Anthony Luttrell referred to it briefly in discussing the military Orders under the Crown of Aragon during the fourteenth century. But only A. Javierre Mur has attempted to outline the various stages in the proposal; and the fullest version of her account was published nearly thirty years ago. According to Javierre, Peter claimed that there had been a relaxation of the monastic rule; that most of Montesa's property had once been the Hospital's; and that the Order of Montesa would "probably be unable to hold back an invasion of the kingdom." The pope then commissioned Bernat Oliver, bishop of Barcelona and Sancho de Ayerbe, bishop of Tarazona, to conduct an investigation into these allegations. But Peter decided not to act immediately; and the papal rescript or bull, dated May 21, 1346, "was still pending" when Clement VI died in 1352.

By the beginning of December 1352, the king had negotiated a secret agreement with Pere de Tous, the Master of Montesa, which laid down the latter's terms for accepting a takeover by the Hospital. Luttrell has noted that three months earlier, the Castellan of Amposta, head of the Hospitallers in Aragon, was already in Avignon, negotiating the merger with the pope. However, the secret agreement was shelved; instead, Javierre Mur states, the king started the whole process afresh by getting the new pope, Innocent VI, to authorize an inquest into the state of the order, "for the same reasons as those given" in 1346. A bull ordering an investigation was indeed issued on February 1, 1353; but nothing is known to have been done about it. The king is next found re-airing the secret agreement of 1352; for "it was updated" and copied into the royal registers on April 18, 1356.

Meanwhile knowledge of what was afoot, hitherto confined to the Master of Montesa, had spread among the rest of the Order. When questioned by the brethren in the general chapter held on December 27, 1355, the Master admitted that the rumors they had heard were true, but that he believed the danger that had threatened the Order was now over: the plan to incorporate it into the Hospital had been dropped. Nevertheless, the brethren demanded, and the Master agreed, that everyone present take a solemn oath to oppose the plan, should it ever be revived. Thus nothing came of the king's attempt to renew the secret agreement with the Master; and after 1356 Peter abandoned his plan to abolish the Order.

Peter's project has caused surprise. Pere de Tous, Master of Montesa since 1327, had served the Crown faithfully before 1346 and had been especially helpful since: for he had loyally fought for the king against the *Union* of Valencia in 1347–8; and Peter had acknowledged his help. To press the pope again for the abolition of the Order in 1352–1353 was an act of gross ingratitude. Even more surprising was Peter's readiness to abandon his grandfather's policy; for the whole purpose of creating the Order of Montesa had been to prevent the over-aggrandisement of the Hospitallers. Javierre Mur thought that Peter's reversal of that policy simply proved that he was less clear-sighted than James II. Luttrell stressed the influence of Juan Fernández de Herédia on the king. Herédia became Castellan of Amposta in 1346 and the plan entailed the incorporation of Montesa into the Castellany. Luttrell argued also that the plan showed that the king was confident of his ability to control Herédia, because the Hospital, under the Crown of Aragon, had become, in effect "a national Order." Both historians assumed, of course, that the king expected tangible aid from Herédia in return for the merger, for the financial difficulties of the Crown in Peter's reign are notorious.<sup>1</sup>

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<sup>1</sup> A. Luttrell, "La Corona de Aragon y las Ordenes Militares durante el Siglo XIV", VIII *CHCA* 2:72–3; idem, "Juan Fernández de Herédia at Avignon," *Studia Albortiana*, 11 (1972): no. 19, p. 292; idem, *The Hospitallers in Cyprus, Rhodes, Greece and the West*. (London, 1978); idem, "The Aragonese Crown and the Knights Hospitaller of Rhodes: 1291–1350," *EHR* 76 (1961): no. 11, p. 18; A. Javierre Mur, "Pedro IV el Ceremonioso y la Orden de Montesa," *Martinez Ferrando J. E., Archivero. Estudios dedicados a su Memoria* (Barcelona, 1968), 208–11; the proceedings of the chapter of 1355 are published in 214–6. (Javierre gave the date as 1354 in the text of the article, although not in the appendix. The new style of dating the year from the Nativity and not from the Incarnation was introduced into Valencia only in 1358, almost a decade after it had been established in Catalonia. It also abolished the Roman mode of indicating the day of the month; yet the day of the chapter is

The real story of the planned merger is more complex and interesting than has been assumed. Javierre Mur's summaries of the bull of 1346 and of the secret agreement of 1352 are unsatisfactory and Innocent VI's bull of 1353 was completely misconstrued. There are, in addition, other documents, published and unpublished, which throw a new and surprising light on the affair. Together, they tell a curious tale, none of it straightforward: part disinformation and blackmail, part conspiracy and cover-up. One conclusion can be stated at the outset. Both Javierre Mur and Luttrell were mistaken in taking Peter's purposes at face-value. The king was far more devious than has been allowed, and Juan Fernández de Herédia was never fully taken into his confidence.

The king's ostensible reasons, as laid out in the bull of 1346, were more explicit and more damning than Javierre's summary suggests: the Order had never served the purpose for which it had been established: defence of the frontier against Islamic attack. The claim that the Rule had been relaxed and the brethren's way of life was secular rather than religious, was only an additional charge. The chief cause of the Order's total inadequacy in defense of the frontier was the gross dissipation of its resources on internal feuding, litigation and private wars. Consequently, if "the enemies of the faith" were to attack Valencia, the Order would be incapable of defending the kingdom. The bishops of Barcelona and Tarazona, who were commissioned to investigate, "as secretly as you can," the truth of the king's accusations, were not named by the pope. This detail was to prove significant. The king's suggested solution of uniting Montesa with the Hospital was made more plausible, by the outrageous statement that all the new Order's endowments, apart from the royal castle of Montesa, had been won directly from Islam by the Hospital. The

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given as "7 Kal. Jan. 1355"). See also the introduction to A. Javierre Mur, *Privilegios Reales de la Orden de Montesa* (Madrid 1961). The proposed merger is not mentioned in the very useful economic study of the Order of Montesa in the 14th century: E. Guinot Rodríguez, *Feudalismo en Expansión en el Norte Valenciano* (Castello, 1986); L. García-Guijarro Ramos, *Datos para el Estudio de la Renta Feudal de la Orden de Montesa en el Siglo XV* (Valencia 1978) has useful information on the 14th century. For the foundation of the Order see E. Guinot Rodríguez, "La Fundación de la Orden Militar de Santa Maria de Montesa," *Saitabi* 35 (1985): 73-85; also A. Forey, "The Military Orders in the Crusading Proposals of the Late-Thirteenth and Early-Fourteenth Centuries," *Traditio*, 36 (1980): 324-5. The standard older works are H. de Samper, *Montesa Ilustrada* (Valencia, 1669); J. Villarroya, *Real Maestrazgo de Montesa* (1787). The two bulls are catalogued in F. Miquel Rosell, *Regesta de Letras Pontificias* (Madrid, 1948), nos. 633, 677.

Templars' role in the reconquest of the Valencian kingdom was totally ignored.<sup>2</sup>

The bull (or rescript) of February 1353 does not, as Javierre Mur assumed, simply repeat the allegations against the Order which the king had made seven years earlier. There is a major change: the second bull does not criticise the knights of the Order at all. It merely says that Montesa's membership was too small for it to be useful in maintaining the frontier, as had originally been intended; and it states that the Order, from the start, had been too poor for the purpose. It therefore directly contradicted the bull of 1346, which had insisted that the original endowments had been adequate. Moreover, Innocent, following Peter's petition, at no point mentions Montesa as an Order, unlike the bull of 1346. In 1353 Montesa is merely a "monastery" of the Order of Calatrava, whereas in 1346 the two institutions had been described as "completely separate." Montesa's importance was therefore deliberately downgraded; and Peter now professed himself to be as worried about hospitality and divine service in the needy "convent," as about defense of the frontier. Nothing at all is said of illegal alienations of property, or scandalous expenditure of assets on feuding and private wars. Not even unmonastic dress or other relaxations of the rule get a mention. The formula: "and some other reasons," inserted after the explicit ones of poverty and limited membership, was scarcely an adequate reference to the savage criticism in the bull of 1346. Indeed, Peter now claimed that all the

<sup>2</sup> ACA, Bulas, Clement VI, legajo 45, no. 40: . . . *et ut fratres de Montesia dotes sufficientes haberetur . . . omnia bona que Ordo Hospitali Sancti Johannis . . . in predicto regno . . . a paganis acquisita obtinebat . . . concessa . . . fuerunt facta per sedem apostolicam . . . Cum autem speraretur quod dictus Ordo de Montesia tunc sit fundatus noviter et sufficienter dotatus, votivis procederet successibus . . . dictus Ordo de Montesia . . . fructus non produxit hactenus nec producit votivis, quin prius quod dolendum est per presidentes in eo bona eis data . . . consumuntur et devastantur inutiliter et incaute, ac in usus alios qua deputata fuerunt . . . minus provide convertuntur; fratresque ipsius Ordinis, contemptis ordinationibus et institutionibus, secundum quas recte ac religiose . . . debebant vivere adeo, ad inconsulta et illicita se convertunt, quod magis, obtentis plerumque rescriptis apostolicis, inherere seculari quam religiose vite videntur, se frequenter iurgis guerris et litibus tam inter se quam cum aliis in quibus consumunt bona ipsius ordinis . . . quod si Regnum predictum Valentie invaderetur, quod Dominus advertat, per inimicos fidei . . . per fratres eosdem teneri non possetur ibidem frontaria, sicut ab exordio et fundacione ipsius Ordinis . . . statutum . . . extitit, eorumque potentia valde reperiretur debilis et inanis. Quare pro parte . . . Regis Aragone nobis supplicato ut antequam collabatur Ordo predictus de Montesia providere super predictis, ipsum Ordinem uniendo Hospitali . . . vel alias prout fuerit expediens de oportuno remedio . . . curaremus. Nos de premisis non habentes noticiam . . . comitemus et mandamus quatenus vos vel alter vestrum per vos vel alium . . . secretiori modo quo poteritis etc.* For the origin of the Montesa properties, see Guinot, *Feudalismo*, map 3, p. 443; see also R. I. Burns, *The Crusader Kingdom of Valencia*, 2 vols. (Cambridge MA, 1967) 1:195.

lands of Montesa (this time those of the Temple were mentioned) had been wrongfully detached from the Hospital. To return them would be righting an historic injustice. The behavior of the knights of Montesa was irrelevant. There was now no need for secrecy and the bishop of Huesca was directed to get the facts by questioning the members of the Order openly.<sup>3</sup>

The *volte-face* represented by the two texts has never been noted, much less explained. It could have been argued that after the suppression of the *Union* in 1348, King Peter would have felt beholden to the Master of Montesa; not so beholden as to forego his whole plan of a merger, but sufficiently beholden to drop the insulting insinuations in his petition to Clement VI, which that pope had reproduced in his bull of 1346. Magnanimously, the king had decided no longer to base his argument for merger on the inadequacies and moral shortcomings of the Master and brethren, but simply on their poverty and shortage of men—a circumstance which need reflect no discredit on the Order, especially after the Black Death. This explanation of the differences between the two bulls would have been convincing, as long as it was assumed that no inquest had taken place in the interval between them. But Clement VI's bull was acted upon; not in 1346, but over six years later, in 1352; and a transcript of the proceedings has survived.<sup>4</sup>

<sup>3</sup> ACA, Bulas Innocentius VI, legajo 48, no. 2: *Monasterium in Castro de Montesa . . . in quo fratres Ordinis Calatravensis ad quos ipse Rex (James II) tunc afficiebatur pro defensione regni Valentie . . . (John XXII) ordinavisset construendum, . . . Cum fratres ipsius monasterii ad id (defence of the kingdom against Islamic attack) in numero et potentia minus sufficientes existerent, speratum fructum non habuerint hactenu nec habebant, et quo huiusmodi defensio per fratres dicti hospitalis qui tam in premissis Regno Valentie quam aliis Regnis et dominiis dicti regis potentes existunt, potuissent et posset melius exerceri proque etiam iusticie zelo considerans quod premissa que per eundem Johannem predecessorem circa dicti Monasterii regimen ordinata fuerat per dictum Regem Jacobus avum suum ex affectione predicta quam ad prefatam Calatravensem ordinem habebat, non absque magno preiudicio Hospitalis predicti, pro eo maxime quod dictum Monasterium tam Hospitalis quam Ordinis Templi predictorum bonis dotatum fuerat et attentis etiam quibusdam tractatibus habitis in concilio Viennensi forsitan minus iuste fuerant procurata, quodque etiam extunc Monasterium ipsum nullis aliis bonis seu redditibus fuerat ampliatum ex predictis et nonnullis aliis causis etiam tunc expressis (by Peter to the late Clement VI) *pie desiderabat quod dictum Monasterium de Montesia pro divini cultus et exaltatione fidei et defensionis predictorum maiorisque religionis et hospitalitatis augmento et utilitate etiam dicti Monasterii per apostolicam sedem eidem Hospitali cum omnibus suis iuribus et pertineniciis imperpetuum uniretur. ita quod ex cetero per fratres dicti Hospitalis imperpetuum regi de eret ac etiam gubernari.* The bishop of Huesca was to investigate, *vocatis Magistro et fratribus dicti monasterii.* In 1346 Clement VI (quoting Peter's earlier petition) had, written: *sed esset (Montesa) per se (the apostolic see) ab illo de Calatrava penitus separatus.**

<sup>4</sup> ACA, Cancillería real, procesos legajo 521/5. It is entitled *Inquisicio facta ex comissione speciali super statu Ordinis de Montesa.* There are forty-six folios, which have been

The omission of the names of the bishops of Tarazona and Barcelona to whom Clement's bull had been addressed, now proved convenient; for between 1346 and 1352 the see of Tarazona had changed hands. And it was the new bishop of Tarazona, who set the inquest in motion, by having Clement VI's bull written into the court record.<sup>5</sup> There was, therefore, no procedural problem in taking out the bull of 1346, dusting it down, and using it in 1352, although the reference, in its date, to the fifth year of Clement's pontificate, must have looked odd in a directive only acted upon in the eleventh and final year of his reign. Thus, Peter's plot already thickens: four years after the wars of the *Union* in 1347–8, during which the Master's loyalty to the king had proved unwavering, the king saw fit to launch a full scale enquiry into the state of the Order of Montesa based on the far from flattering clauses of a papal rescript issued in 1346.

The proceedings began formally on July 21 in the "episcopal residence" in Calatayud, when a member of the king's household presented the bishop of Tarazona with the bull of 1346 and asked him, in the king's name, to act upon it. The bishop delegated the papal commission to Juan Martinez de Calvo, the sacristan of Tarazona. We are told that Calvo then "chose" Jaume Conesa, notary, to be his scribe. Conesa was, in fact, the king's confidential secretary. It is unlikely that his role in what followed was purely technical. The sacristan "converted" (*distinxit*) the accusations in Clement's bull into a *libellus* containing six articles. The formulation of these charges show that dissipation of resources on feuds, private wars and litigation (*lites*), were the real burden of Peter's grudge against the Order. Only one article (no. 4) referred to non-observance of the *Rule* in dress and deportment. Three of the six articles (nos. 2, 3 and 5) were concerned with the question of the misuse, devastation and despoiling of the Order's assets, while the last charge (no. 6) addressed the present result of that waste: The Order was unable to defend the frontier if called upon to do so. Montesa had thus failed to achieve its original

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numbered from f. 31 onwards. The document is very badly worm-eaten and has largely disintegrated. With patience most of its contents, certainly all that is of importance, can be read. Its extreme deterioration has made fairly full quotation of the Latin text in the footnotes advisable.

<sup>5</sup> In May 1346 the bishop of Tarazona was Sancho de Ayerbe. He was translated to the see of Tarragona in October 1346 and was replaced by Gaufrido who may have died shortly after completing the inquest, see A. Ubieto Arteta, *Listas Episcopales Medievales*, 2 vols. (Zaragoza 1989), 2:374.



purpose; and the first article of inquest stated what that purpose had been, by referring to Montesa's charters of foundation.<sup>6</sup>

Calvo and Conesa then proceeded to the kingdom of Valencia where the first eleven, out of a total of fourteen, witnesses were interrogated on the articles of accusation. The sessions were held in the convent of Montesa, in the abbey of Valldigna and in the city of Valencia; the last three witnesses were interrogated in Zaragoza, where the king was then presiding over a meeting of the *Cortes*. The inquest was concluded on September 24, 1352 and Conesa's transcript was sent with a covering letter from the bishop of Tarazona, not to Clement VI, but to the king.<sup>7</sup> The bishop's covering letter contained a standard statement confirming the "trustworthiness" of the witnesses. These included four members of the Order: the Prior and three veteran knights, who had been commanders in the past but were "out of office" in 1352; the abbot of Valldigna who was one of the Order's *ex officio* Visitors; five residents in the city of Valencia, three of whom originated from Sueca, a commandery of Montesa; García de Loriz (or Lloris), the acting Proctor, or Governor-General, of the kingdom of Valencia; its Bailiff-General, Roderigo Díaz, who was also the king's vice-chancellor; the Justiciar of Aragon, Juan López de Sesse; and finally Lope Fernández, count of Luna and lord of the city of Segorbe.<sup>8</sup>

<sup>6</sup> ACA, Leg. 521/5, ff. 6-7v. Article 2: though sufficiently endowed, the Order *fructus non produxit hactenus . . . quia Magister et fratres . . . bona eiusdem cesserint et cessent illo facere propterque idem ordo fuerat institutus*. Article 3: "*Item pervenit quod Magister et fratres consumunt et devastunt, consumpserint et devastarunt temporibus retroactis*." Article 5: Conversion of goods now and in the past "*in iurgia, guerras, lites tam inter se quam cum aliis in ipsis guerris voluntarie et minus provide involventes*." Article 4 repeats the text of the bull concerning the use of papal rescripts to relax the *Rule* and achieve a secular mode of life. Almost all the witnesses mentioned the fact that the brothers did not wear a hood; but this had been granted by the pope in 1328 (see note 33 below). Thus a practice licensed by the pope, became a matter for reproach almost twenty years later. For the sacristan *eligans in notarium huius negotii me dictum Jacobum Conesa*, see leg. 521/5, f. 5v.

<sup>7</sup> The sessions were held at Montesa on July 30 (witnesses nos. 1-4); at Valldigna on July 31 (witness no. 5); at Valencia on August 2-3 (witnesses nos. 6-11); at Zaragoza on September 3-4 (witnesses nos. 12-14). On 24 September the report was completed and the covering letter written.

<sup>8</sup> The witnesses were: 1) Fray Arnau de Selva, Prior of Montesa, aged over 60; 2) Fray Berenguer de Erill, knight aged 60; 3) Fray Galceran de l'Orde, knight, aged c. 45; 4) Fray Bernat de Nabas, knight, age not given, but 23 years in the Order. 5) Bernat, Abbot of Valldigna, age not given; 6) Bartholomeu Badia, notary, citizen of Valencia *olim* of Sueca, aged over 50; 7) Ponc . . . Fan(lo?), *persona literata*, citizen of Valencia, aged c. 50; 8) Garcia de Loriz, knight, aged sixty *ut credit*. 9) Jaume Soler, citizen of Valencia *olim* of Soler, aged over 50; 10) Jaume de Molins,

The depositions throw considerable light on enmities and tensions within the Order; and on its unpopularity and vicious reputation among laymen. But the most striking characteristic of the testimony is an almost surreal anachronism: the feuding and unnecessary litigation on which the Order had allegedly wasted its substance were discussed in detail—but as if the evidence were being heard in 1346, not four years after the destruction of the *Union*. The witnesses seem to be caught in a time-warp: the Valencian *Union* is mentioned only once, very briefly, by Rodrigo Díaz, the penultimate witness. Moreover the late Fray Dalmau de Cruïlles is only once stated to be dead, by the eighth witness, García de Loriz; yet that noble knight of Montesa plays a central role in all the depositions. Even more strangely, he is never once linked to the Valencian *Union*; yet he was one of its leading figures and served as its military commander or captain-general. Fray Dalmau would have commanded the unionists in their last stand against the king's army in December 1348, had he not died shortly before "from an illness."<sup>9</sup> To speak of this knight of

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citizen of Valencia, aged 44; 11) Guillem de Tovia, *habitor* of Valencia, *olim* of Sueca, *quadragenarius*; 12) Juan Lopez de Sesse (*Sesa*), knight, *litteratus* and Justiciar of Aragon, age not given; but he remembered the foundation of the Order; 13) Rodrigo Díaz, knight, *legum doctor*, vice-chancellor and royal councillor, no age given. He knew of the foundation of the Order only by hearsay and had read its charters; 14) Count of Luna, age not given, but was too young to remember the foundation of the Order. For García de Loriz as acting Proctor of the kingdom in 1352, see L. Alanya, *Aureum Opus Regalium Privilegiorum Civitatis et regni Valentie* (1515: Valencia, 1972), 299, 300. He had been appointed in 1348, see J. Lalinde Abadía, *La Gobernación General en la Corona de Aragón* (Madrid-Zaragoza 1963), 147–9; For Rodrigo Díaz as Bailiff-General, see ACA, Cancillería real, R. 1136, f. (August 29, 1350). Lope Fernández de Luna was "the greatest lord in the king's lands, not of the blood royal," see J. Zurita, *Los Anales de la Corona de Aragón*, lib. viii, cap. 15. For the Luna family, see F. de Moxó y Montoliu, *La Casa de Luna (1276–1348). Factor Político y lazos de Sangre en la Ascension de un Linaje Aragones*, Spanische Forschungen der Görresgesellschaft, Zweite Reihe, 24 (Münster, 1990). On Sueca, see A. Furió, *Camperols del País Valencià: Sueca, una Comunitat Rural a la tardor de l'Edat Mitjana* (Valencia, 1982). Samper thought of l'Orde was a priest (note I above), 77. But in the inquest (ff. 14v–15) he is described as a "laycus" who has no Latin. He was commander of Vilafames in 1323, of Culla in 1330, of Alcala de Xivert in 1342, Villarroya, 1:141; ACA, Cancillería real, R. 1058, f. 183 (Nov. 20, 1342). Nabas had been *yconom* in 1338; AHN, Codices 543 C, ff. 86–9 (23 March). For Erill as a founding member of the Order, see Samper, 1:60, 104; as Commander of les Coves in 1323 and 1330, see Guinot, 358; Villarroya, 2:140. Peter was planning the inquest in May when he asked to be sent copies of the grant of Montesa castle and of the Order's charter of foundation, ACA, Cancillería real, R. 1135, f. 56 (26 May 1352).

<sup>9</sup> When Rodrigo Díaz was interrogated on art. 3, *dixit quod verum esse quod Magister qui tunc est tempore Unionis Regni Valentie erat et fuit contra illos de Unione, insuper erat ad servicium domini regis*. But he continued at once with the story of the *magna brica inter*

Montesa and not to mention his role in the *Union* was a remarkable feat of selective amnesia. There was an especial effrontery in Luna's lapse of memory; for he himself had been a leader of the *Union* of Aragon, switching sides only after the revolt had begun.<sup>10</sup>

The evidence is, therefore, extraordinarily biased on the subject of Dalmau de Cruïlles. The king was of course interested in building up a dossier against the Order. But the silence of all concerned on the subject of Dalmau de Cruïlles suggests something further: that the king had come to regard Pere de Tous as the main cause of Dalmau's defection.<sup>11</sup> By his "persecution" of Dalmau de Cruïlles he had driven the latter into the arms of the *Union* and thus provided the unionists in Valencia, where many local knights and nobles supported the king,<sup>12</sup> with something they badly needed: professional military leadership. The Master might have redeemed his *faux-pas*, had he been able to win a battle. But in fact, while the king was occupied in Zaragoza and in Barcelona, relying on the Master of Montesa and the Governor to hold the fort in the kingdom of Valencia, the royalist troops had been beaten twice by the unionists. It is not at all clear that the Master or any of the Montesan knights were present at either battle; but their absence would hardly have mollified the king; nor would the death of a member of the Tous clan, a secular knight named Galcerán, in the first of those defeats be counted a triumph for the military Order.<sup>13</sup> But to apportion blame, in 1352, for the military fiascos of 1347 would have been politically imprudent. It would also have been pointless. The Master's failings

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*dictum Magsitrum et Fratrum Dalmacium de Crudiliis militem dicti Ordinis inter qua fuit ductum litigium multo tempore Curia Romana, ACA, Cancillería real, R. 1135, f. 43v. García de Loriz's reference to Fray Dalmau as quondam is on f. 30. For Dalmau's role as captain-general and his death see Zurita, lib. viii. cap. 33. Samper, 2:477-9, omitted all mention of Dalmau in his discussion of the Union.*

<sup>10</sup> Zurita, lib. viii, cap. 15.

<sup>11</sup> Before the *Union* there is no indication in the documents that the king held the Master to blame; he condemned both factions, more or less equally, see note 18 below.

<sup>12</sup> On aristocratic support of the king in Valencia, see M. Rodrigo Lizondo, "La Union valenciana y sus protagonistas" *Ligarzas* 7 (1975): 133-66.

<sup>13</sup> For the death of Galceran de Tous (a namesake of the Master's brother) outside Xativa in 1347, see Zurita, lib. viii, chap. 19. For the defeat at Betera, see chap. 20. In 1348 when the king was already marching on Valencia, Galceran de Tous and *la gente que el maestro de Montesa su hermano tenía* helped to raise the siege of Benaguacil (together with the troops of Pedro de Xerica and of Teruel), chap. 33. Samper claimed the authority of Zurita for proudly stating that victory in the final battle at Mislata, was largely due to the Master; a statement repeated by Javierre Mur. But Zurita does not even mention the Master at Mislata.

as a soldier in the struggle against the *Union* could scarcely be presented as a reason for suppressing a crusading Order. However we explain the lacuna, the extraordinary fact remains: Dalmau's role in the *Union* was never mentioned at the inquest.

Even on the subject of the feud, the evidence is palpably sympathetic to Dalmau, almost as if he were the champion of the rank and file of the Order against the Master. Most of the witnesses implied that he had been persecuted *voluntarie* by Pere de Tous; and the count of Luna added that the Master had hounded him "with hatred." Only the abbot of Valldigna spoke in terms of disobedience and rebellion when referring to Dalmau's relations with the Master. Thus anyone reading the depositions without prior knowledge might well imagine Dalmau, untainted by treason, to be the innocent victim of the Master's malice.<sup>14</sup>

Dalmau de Cruïlles was no ordinary member of the Order. He had been a commander as early as 1330 and he had attained one of the two top jobs under the Master, that of Claver or Treasurer, which he held for four years, 1334–1338. But then he fell foul of Pere de Tous, and was demoted, first to the lieutenancy of Culla and eventually to the ranks. By March 1343 the king was uncertain of Dalmau's official position, but thought that he had been posted beyond the Jucar. Perputxent was the only commandery south of that river (apart from Montesa itself, which was unavailable). To send Cruïlles to Perputxent would have been almost as humiliating as depriving him immediately of all command. For Perputxent was directly subordinate to the office Cruïlles himself had once held: the *Claveria*. This may have been the last straw for Fray Dalmau, for by October 1343 the Master had ordered his arrest. Thereafter he held no office at all; and the king's grant of a safeconduct in October 1343, to enable Dalmau to appeal in person to the pope (which he

<sup>14</sup> Fray Berenguer de Erill *scit quod dictus Magister minus provide et voluntarie et in magnum dampnum dicti Ordinis habuit litigium et guerram cum fratre Dalmacio de Crudillis* (f. 13v); Erill's testimony on this point was repeated by de l'Orde and Nabas (ff. 16v, 18v); Badia: *audivit quod dictus Magister uno cum aliquibus fratribus dicti Ordinis persequabantur dictum fratrem Dalmacium voluntarie et sine causa* (f. 25). Luna: *dictus magister sicut hic testis audivit dici voluntarie et odiose prosequabatur Dalmau de Cruïlles* (f. 45); the abbot: *Magister propter rebellionem et inobedienciam quod fieri dicebatur contra dictum magistrum per fratrem Dalmacium de Crudillis erat in magna brica et discordia cum dicto fratre Dalmacio* (f. 20v). Dalmau had been a principal in a feud with the noble Gilabert de Centelles as early as 1337, see S. Carreres i Zacaes, *Notes per a la historia dels Bandos de Valencia* (Valencia, 1930), doc. 2 g. (R. 589, f. 53), p. 25.

failed to do), marks the first appearance in government records of a bitter feud between Cruïlles and the Master.<sup>15</sup> Perhaps Dalmau had never approved of Pere de Tous' election as Master in 1327 and had regarded himself, the scion of a far more distinguished family than the successful candidate's, as the appropriate man for the job. Certainly the pope had received information of internecine quarrels in the order as early as 1331 and it was then that the Visitors expressed disapproval of the use among the knights of family blazons.<sup>16</sup>

Yet the Master had protected Dalmau when the latter, as Claver, in 1337, attacked Toris, a lay seignury belonging to Philip de Bóil. Two mudejars had been killed in the raid and others injured; and the whole herd of goats, over 1300 head, had been taken back to Sueca. The Master was still protecting Dalmau from prosecution by Boil in August 1344. Violent self-help against a lay lord and the judicial immunities of the Order were something both Dalmau and the Master could, apparently, see eye to eye on; and the Master considered his protection of Dalmau from the consequences of his acts

<sup>15</sup> Dalmau was commander of Alcala de Xivert in 1330, see Villarroja, 2:140. He then became commander of Onda, an office which he briefly continued to hold as Claver in 1334, see AHN, Ordenes Militares, Montesa, pergaminos particulares, no. 964 (January 1334). His demotion from Culla took place between the January 2 and the February 13, 1343, when he was referred to as "ex-commander" and the Acting Proctor-General of Valencia "or his lieutenant beyond the Jucar" was to execute a long-delayed sentence against him for violent self-help when still at Culla. ACA, Cancillería real, R. 621, ff. 175, 216-216v. On March 12 the king ordered distraint on his goods *ac dicti ordinis preceptorie cui nunc praest.* But by April 18 the king no longer gave him any title, R. 623, ff. 17v, 69rv. Dalmau received a safeconduct till Christmas 1343, on condition that he went to the curia immediately; but the king cancelled it later when he learned that Dalmau had not gone to Avignon after all, R. 875, f. 178 (Nov. 1343); R. 629, f. 19 (Oct. 23, 1344). For the feud's acute stage, see below note 18. For the list of Clavers, see Samper, 2:422; also A. Furió, Camperols (note 8 above). For the formal declaration of the Claveria as the third ranking post in the Order, see A. de Benavides, *Historia de las Ordenes de Caballeria y de las Condecoraciones Españolas*, 3 vols. (Madrid, 1865-6), 1:417. For Perputxent see below at note 28.

<sup>16</sup> J. F. O'Callaghan, "Las definiciones medievales de la Orden de Montesa 1326-1468," *Miscelánea de Textos Medievales* 1 (1972) repr. in *The Spanish Military Order of Calatrava and its Affiliates* (London, 1975), study X, art. 12, p. 236; J. Goñi Gaztambide, *Historia de la Bula de Cruzada en España* (Vitoria 1958), 297. In 1348 Galceran de Tous and an accomplice were pardoned for the killing, in 1345, of *cuiusdam bustiam signo de Cruiliis deferentis*; ACA, Cancillería real, R. 886, f. 149v-150. Dalmau's rank is apparent in his appointment as tutor to the children of the late noble Guilabert de Cruïlles on March 24, 1340. The letters of appointment, confirmed in November 1340, were signed by the noble Omberto de Cruïlles and Rodrigo Díaz, ACA, R. 870, ff. 81v-82; for the family tree, see *Gran Enciclopedia de Catalunya*, s.v. Cruïlles; J. Caruana, *Baron de San Petruillo, Los Cruïlles y sus Alianzas. Nobiliario Valenciano* (Valencia, 1946).

on behalf of the Order in 1337, as irrelevant to their subsequent quarrel.<sup>17</sup> There is no doubt that from 1344 to 1346 the feud between the Master and Dalmau de Cruïlles became particularly acute, with both sides gathering supporters and clients outside the Order and preparing to do battle. The king had to intervene at least twice to impose a truce and he banned a select list of the leadership of both factions from entering the city of Valencia. These truces were not strictly observed and the king wrote to Dalmau and to Tous, respectively, to express his astonishment at behavior so unbefitting a religious.<sup>18</sup> Witnesses at the inquest dated the beginning of the Master's

<sup>17</sup> Domingo de Monzon, *judex curie nostre* was ordered to hear the charges against Dalmau and give sentence July 6, 1337, ACA, Cancillería real, R. 590, f. 196. On August 15, 1337, Monzon was told to suspend proceedings till further notice, R. 590, ff. 267v–268. This perhaps marks the beginning of Dalmau's pious claim that as an obedient knight of Montesa, he could not answer for his acts in a lay court until he had received the Master's authorisation. He was atill using this excuse in 1344, apparently with the Master's connivance, R. 626, ff. 152v–153 (August 27): on a complaint by Boil that he was being denied justice because of this, the king reprimanded the Master. There had been a similar complaint and reprimand on November 27, 1343, R. 624, ff. 62r–v. On June 4, 1343 Fray Dalmau had been granted immunity from arrest, to last at the king's pleasure, R. 1591, f. 58v (although this may have been related to his activities at Culla or to the burgeoning feud (see note 15 above). In 1337 Dalmau as Claver had been aided by Fray Gonzalbo de Peralta, then commander of les Coves and soon to supplant him; the commander of Silla, Pere de Soliva (Çes Olives) and *aliquibus aliis fratribus* had also participated, together with the Order's tenants in Sueca and Silla. For cooperation between Dalmau and the Master in disputing the king's jurisdiction in the hamlet named La-Punta-de-Sueca in 1336, see J. B. Granell, *Historia de Sueca desde los Primeros Tiempos hasta el Presente*, 2 vols. (Sueca, 1905), 1:326–8.

<sup>18</sup> ACA, Cancillería real, R. 1059, ff. 136v–137 (September 16, 1344): the ban on entering the city had been disobeyed and the 1000 marks fine incurred. Both sides were gathering *valitores* within and without the city and mobilising troops ready to do battle. The ban was renewed and the chief men of the two parties were told to stay away from the city till further notice. See R. 1059, f. 137 for the king's astonishment at such behaviour. R. 628, ff. 38rv (October 31, 1344): *in civitate Valencia et eius termini hactenus fuit (the quarrel between Cruïlles and Tous) occasio magna scandala preparata*. Earlier, only the Master and Fray Dalmau had been forbidden entry into the city and its terme; but “now” because their adherents remain there and can easily “cause sedition and irreparable scandal” a precise list of the leading men of either faction, twenty-six in all, were also banned from the city. The king had to intervene again in December 1345 and in early January 1346, R. 638, ff. 50r–v. The Master's brothers, Ramon and Galceran de Tous and “others” had been forbidden to enter the city and its terme on pain of 1000 silver marks, in the ban dated 16 September 1344. When the Master complained on their behalf of the “unjust burden” of this ban, the king permitted the Master and his two siblings to cross through the terme, if they were on their way to somewhere beyond it. There was one condition: they were not to stop in Sueca for more than one day, R. 629, ff. 77–77v (November 18, 1344). The hostility the Tous clan might expect in Sueca and its importance in the feud long after Dalmau had ceased to be *Claver* is evident.

expenditures on "stipendiary knights" and gifts to nobles in pursuit of his feud with Dalmau (as well as on litigation against him in the Roman Curia) to about ten years before the date of the inquest; and one said that the feud had lasted for about five years altogether; hence their testimony and the administrative records are in agreement.<sup>19</sup>

The feud may have exploded in 1343, but the main root of Dalmau's grievance probably went back to when he was replaced as *Claver* of the Order in 1338, by the Master's brother, Fray Ambert de Tous; for a nodal point of the private war between Cruïlles and the Master, both in the testimony at the inquest and in the central government records, seems to have been in Silla. Silla was part of the bailiwick of Sueca, which was attached to the *Claveria*. After 1344 Ambert de Tous was promoted to the post of Commander-Major, an office senior to that of the *Claver*, and one in which he could act as deputy for the Master. By then Fray Dalmau de Cruïlles held no commandery at all.<sup>20</sup> The office of *Claver*, vacated by Ambert de Tous, was given to Gonzalo Martínez de Peralta who was an ally of the

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The choice of three ex-Suecans as witnesses at the inquest was not accidental. Dalmau de Cruïlles was also finding the ban on entering Valencia inconvenient; but he had entered the city itself. He was told that he would have to pay the fine of 1000 marks and suffer arrest if he did not leave at once, R. 629, f. 78 (November 18, 1344). By January 5, 1346 a truce carrying a fine of 500 marks had been declared. But members of the household of Ponç de Soler, a leading member of the Master's faction had broken it, killing one of Fray Dalmau's esquires in the raval of Valencia. The Criminal Justiciar of Valencia, Pero Ruiz de Acorella, was declared suspect by Dalmau (his kinsman Juan Ruiz de Acorella was listed among the Master's supporters in 1344); and the king appointed an assessor to hear the case R. 635, ff. 50v-51 (5 Jan.), 62-62v (11 June). The killing of a Cruïlles retainer by Galceran in 1345 (see note 17 above) had taken place in Torreblanca in northern Valencia. In January or February 1346 the king assured the Master that he would not do anything to favour Dalmau or damage the interests of the Master or the Order, R. 1059, f. 193 (a wormhole has left only *Februaris* in the date visible). Soler had been named as a supporter of Dalmau in 1344.

<sup>19</sup> See the testimony of Erill (witness no. 2), ACA, Cancillería real, R. 635, f. 13: *Magister . . . dabat diversis militibus stipendariis pro sustinenda dicta guerra, et etiam dabat aliquibus nobilibus diversa peccunie summas pro iuvando ipsum contra dictum fratrem Dalmacium.*" For the duration of the feud, see the testimony of Fanlo (witness no. 7), R. 635, ff. 28r-v: The Master had conducted a war and litigation *qui durarunt per quinquennium cum fratre Dalmacio de Crudiliis cuius occasione infinita bona dicti ordinis consumpta fuerant.*

<sup>20</sup> Javierre Mur said Ambert was appointed Commander Major in 1353, see her *Privilegios*, 65. But this was only the first reference to him as such known to Samper, *Montesa Ilustrada*, 2:482. Ambert de Tous already held the post in March 1349, see E. Díaz Manteca, "Notes documentals per l'estudi de la Unió al Maestrat de Montesa (s. XIV)," *Boletín de la Sociedad Castellonense de Cultura*, 61 (1985): doc. 6, p. 123. In the five years before that, there is no record of another Commander-Major and it is unlikely that Ambert was demoted by his brother after 1344.

Master's, as the secret agreement with King Peter in 1352 was to show. The new *Claver* may have aligned himself with the Master for family reasons. The *richom* Nicholas Carròs was an important member of the Cruilles affinity in 1344, and there was a feud between the families of Peralta and Carros dating from a murderous clash in Sardinia in 1326. Both the Carros and Tous families held property near Sueca and Silla, and it was in Silla that the great confrontation between the Cruilles and Tous forces, mentioned by three of the witnesses, took place.<sup>21</sup>

Quite apart from the humiliation and financial loss of his demotion, by 1345 Dalmau de Cruilles may well have thought that the Order was in process of being taken over by the Master's family. Not only were the two top jobs held by the Tous brothers, but another member of the Tous family held the commandery of les Coves. There were after all only between ten and thirteen bailiwicks in the whole Order and two of them were attached to the Mastership and the Commandery-Major. Other clans besides that of Cruilles may have taken a dim view of this development. In his feud with the Master, Cruilles had the support of powerful men outside the Order, as well as allies within it.<sup>22</sup>

<sup>21</sup> The armed confrontation in Silla probably took place after September 1344, when troops were being mobilised by both factions, see note 18 above. The aborted battle in Silla is mentioned by Badia (witness no. 5), who seems to have been in Sueca at the time: *et recordatur quod semel dictus Magister et sibi adherentes crediderunt habere cum dicto Fratre Dalmacio et suis valitoribus magnum prelium et conflictum apud locum de Cilla ubi erant congregati inter utraque partem ultra duo milia hominum armatorum*. Just before this testimony Badia had said, speaking of the feud as a whole, *quod hoc testis interfuit dicta guerra una cum aliis*, (f. 25). Soler (witness number 9) said, (f. 34v): *Et uno die congregarunt se tam dictus Magister quam dictus Dalmacius apud locum de Cylla; sed interventibus aliquibus bonis personis qui interposuerunt se hinc inde non fuit congressus habitus inter eos*. Tovia (witness no. 11) who was in Sueca on the day of the confrontation (see at note 30 below) testified: *quod quadam die convenerunt in simul apud locum de Cilla dictus magister et alii de sua parte et dictus frater Dalmacius et alii sibi adherentes et credidit esse magnus conflictus inter eos*, f. 39v. For the beginning of the Carros-Peralta feud, see ACA, Cancilleria real, Procesos 13/5 (1326) The noble Nicholas Carròs was one of the leaders of the Cruilles faction, banned from Valencia in 1344, see above, note 18. For his family, see *Gran Enciclopedia de Valencia*, s.v. Carròs. Ces Olives was still Commander of Silla on March 30, 1345 (see note 17 above), but had been moved to Borriana by November 1, 1346; perhaps this was a reprimand for not preventing the trouble in Silla. By September 1347 the commander of Silla was Arnau de Pedrisa, also called the *operarius operis castri de Monthesie*, AHN, O. M. Montesa, perg. partic. nos. 1027, 1035, 1039.

<sup>22</sup> Guillen Ramon de Tous was commander of les Coves in 1345, AHN, O. M. Montesa, perg. partic., no. 1031. He may have been a member of the Order already in 1340, see Marqués de Siete Iglesias, "Catálogo de los Caballeros y Religiosos



The misappropriation of funds to build up an affinity with which the Master was charged, was something Dalmau de Cruilles had also had to do, in order for two opposing factions to meet in the field at Silla. Dalmau's misuse of the funds of the *Claveria* and later of the commandery of Culla was not even hinted at in the depositions. Pere de Tous alone was blamed. This accusation of enormous "waste," levelled at the Master, contained three distinct, though related charges. One, the necessary expenditure on building up a following, membership of which included the leader's kinsmen; two, the misuse of the Order's resources to enrich his family and so aggrandise the power of the Tous clan as a whole; and three, the Master's family, thus enriched with the spoils of the Order, included his own illegitimate children.

The Master stood accused of wasting vast sums not only on building up his affinity to oppose Dalmau but also on litigation against him in the Curia. Litigation and private warfare were of course not mutually exclusive, and there is independent evidence that Dalmau had appealed to the papal Curia.<sup>23</sup> The Montesan knight Fray Berenguer de Erill testified that the Master had spent some 300,000 *sous* on both forms of vendetta against Dalmau. The notary Bartolomeu Badia, a citizen of Valencia, but originally from Sueca, went further. He said that the Master had wasted on the feud at least 400,000 *sous*. Badia was fully aware of the relative size of the sum, since he had told the investigators that the original endowment of the Order

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de la Orden de Montesa 1319-1700," *Hidalguia* 5 (1957): 4. There were ten commanders at the chapter of 1355 including the Master and the sub-commander of Montesa. Sueca and Silla were held together, see Javierre Mur, 214. In the past there had been separate Commanders of Silla, see notes 17 and 21 above; also AHN, Codices 543 C, ff. 86-89v (1338). In 1333 Pere Çes Olives had been described as *Commandator de (les cases en) Valencia et de Cilla* (1333), see AHN, O. M. perg. partic. no. 959. In 1348 Peralta as *Claver* and commander of Sueca acknowledged receipt of responsions owed by Fray Arnau de Pedrica, commander of Silla and *operarius operis castri de Munthesie*, AHN, O. M. Montesa, perg. partic. nos. 1039, 1040. This seems to indicate that the commander of Silla was subordinate to the *Claver* and may have been appointed by him. Pere Çes Olives was described as *sots claver* of Montesa on January 24, 1340; this was probably an alternative title for the commander of Silla, see, perg. partic. no. 1009 (January 24). There had also been in the past a commander of Castrofabib and Ademuz, and a commander of the Order's property in Borriana, see note 21 above and Villarroja, (note I above), ii, pp. 140-141 (1330); for Ademuz and Castrofabib, see also perg. partic. no. 948 (1332). Moncada had been alienated with papal consent from the start, and only returned to the Order in 1358. Several of the lay supporters of Dalmau later joined him in the ranks of the *Union*.

<sup>23</sup> ACA, Cancilleria real, R. 629, f. 19 (21 Sept. 1344), see note 15 above.

had been 300,000 *sous* a year in rents and other revenues.<sup>24</sup> Detailed testimony was also given on the misuse of the Order's revenues to enrich the Master's brothers and nephews. Three brothers in particular were named: Galcerán, Rodrigo and Ramon. Indeed Pere de Tous' was said to have raised them from rags to riches, since they had had "little or nothing" to their name before receiving lavish gifts from the Master. According to the notary Bartolomeu Badia, the Master had spent more than 200,000 Barcelona *sous* on his brothers and nephews. Jaume de Molins, also a citizen of Valencia, spoke of both Galceran and Rodrigo de Tous buying property which "the Master had paid for;" and Jaume Soler, like Badia, originally from Sueca, descended to detail: the Master had enabled his brother Galcerán de Tous to buy a (surely palatial!) house in Valencia, by giving him a lump sum of 44,000 Barcelona *sous*. Galcerán had also been assigned 1000 florins (11,000 *sous*) which Sueca "owed the Master." Nor was this second-hand information. Jaume de Soler claimed he had heard it from the Master himself. Galcerán's enrichment at the expense of the Order probably helped him to be elected Criminal Justiciar of Valencia in 1352, the very year of the inquest—a coincidence which was perhaps innocent, but nonetheless curious. As for the Master's nephews, the abbot of Valldigna was able to provide detail: he testified that the Master had given one of them 10,000 *sous* "within the past year".<sup>25</sup>

<sup>24</sup> Erill (witness no. 3), (ACA. Cancilleria real, R. 629, f. 13v): *dictus ordo prout credit et extimat fuit damnificat (sic) in trecentibus milibus sol. barch. sive propter litigium sive propter stipendia*. But Erill did have the grace to say, on the lengthy litigation (over tithes in Ademuz and Castrofabib) with the bishop of Segorbe (ff. 13r–v): *hoc erat pro utilitate ordinis*. For Badia's estimate of the cost of the feud, see f. 25: *quod prout fama referebat illa guerra illeque litigium . . . constitit dicto Magistro ultra quantitatem Quatuorgentorum* (this could be *quingentorum*; a wormhole has obliterated the relevant letters in the word *Q. . . gentorum*) *milium sol.* Badia mentioned other suits conducted by the Master and brethren *cum diversis personis tam sui ordinis quam aliarum personarum extranearum et vidit quod in dictis litigiis cohacte habent expendere bona dicti ordinis*, but he declined to give an opinion on their necessity: *si tamen hoc faciant voluntarie et minus provide dicit se nescire* (f. 24v). For his estimate of the initial endowment of the Order, see f. 22: *pro sustinendo predicta onera fuerant eis dati bona in articulo* (no. 1) *contenta quod dicebantur valere .ccc. milium sol.* (type not given) *in redditibus annuis*. This is probably nearer the truth than Guinot's admittedly cautious estimate of 200,000 *sous per annum*, see Guinot, 260–1, and table XII, p. 418. For the quarrel over tithes in Ademuz and Castrofabib, see Guinot, 205, 368, 401.

<sup>25</sup> Badia (witness no. 6), f. 23: gifts were still being showered on the Master's kinsmen and *ante quam ipse esset Magister dicti fratres et nepotes nichil seu pocum hebeant (sic) et quod dictus Magister fecit empciones pro eis ascendentes ad quantitatem ducentorum milium sol. barch.* Fanlo (witness no. 7) (f. 27–27v): the present wealth of the Master's brothers

Only one bastard of the Master's was named: Francesc de Tous; but there were other offspring of Pere de Tous who had been enriched by their father. To mention the Master's illegitimate children in this way was to imply, of course, that he was guilty of more than misappropriation. He was said to have committed, however, a sin far worse than simple fornication. Badia testified that the mother of Pere de Tous's bastards had been taken by force from her husband, a tenant of the Order in Onda. He added that the Master was not alone in committing this kind of aggravated adultery. Other commanders had followed suit. Jaume de Soler hinted at yet more sinister practices: "The brothers . . . do illicit things which even laymen do not wish to do". This is the only, albeit ambiguous, indication of real scandal, perhaps even of the kind of depravity which had been attributed to the Temple. The silence of the other lay witnesses, all of whom repeated the charge of concubinage, suggests, however, that Badia and Soler were simply retailing malicious gossip. Nevertheless, gossip of any kind is a useful indication of the Order's reputation.<sup>26</sup>

and other kinsmen could not have come *a suo proprio patrimonio*; the Master's gifts to them were said to be worth *centum vel .cc. mil. sol.* Soler (witness no. 9), (ff. 33rv): he had seen the two specified gifts to Galceran de Tous; of other gifts to the Master's kinsmen and "friends", Soler *audivit dici tam a dicto Magistro quam aliis pluribus et diversis*. Molins (witness no. 10), (f. 37): *communis vox et fama est quod magister qui nunc est et alii sui consanguinei fuerent locupletes largitionibus dicti magistri. Item quod Galcerandus et Rodericus de Tous fratres dicti magistri emerunt aliquo loco et dicitur publice et creditur quod dictus Magister solverit precia eorumdem*. Both a Galceran and a Ramon de Tous were among knights and *generosi* summoned to the Corts of Valencia in 1342, ACA, Cancillería real, R. 874, f. 103v. For Galceran de Tous, knight, as Criminal Justiciar of Valencia, see *Archivo del Reino de Valencia*, series Justicia Criminal, R. 37 (1352). It is improbable that this was a namesake of the Master's brother, especially since the Justiciar's deputy Francesc de Tous, bore the same name as the Master's illegitimate son. For the abbot of Valldigna (witness no. 5) see (f. 20): *audivit dici quod Magister qui nunc est cuidam nepoti suo non est annus lapsus x mil. sol. (dedit)*.

<sup>26</sup> Badia (witness no. 6), (ff. 23–24): *Interrogato si cognoscat dictos filios dixit se vidisse eos pluries et audivisse a pluribus ille et ille sunt filii Magistri de Montesa, et vidit etiam et cognovit matrem eorum tamen de nomine suo non recordabatur, sed audivit dici quod fuerat uxor cuiusdam vassalli dicti Ordinis loci de Onda, et quod dictus Magister habuerat et secum tenebat eandem contra voluntatem mariti sui. Dixit etiam quod fratres dicti Ordinis scilicet comandatores qui regunt loca dicti Ordinis dissipant et dissiparent bona dicti Ordinis tenendo publice concubinas et dando filijs suis dicta bona et omnia quod haberent et habere possunt a vassallis . . . Dixit etiam quod audivit quod dicti fratres vel aliqui eorum per vim et violenciam recipiunt uxores vassallorum dicti Ordinis, committendo adulteriam cum eisdem. Interrogato a quibus talia audivit dixit a pluribus et diversis de quorum nominibus non recordatur et talis est publica vox et fama in locis dicti Ordinis et in alijs (circumvicinibus) locis*. For Soler (witness no. 9), see f. 33 (sic; the folios have been miscounted and the number 32 omitted): the brothers prefer *facere vitam secularium quam religiosorum divertendo se ad actus luxuriosos et tenendo concubinas et plures alia illicita committendo quod etiam seculares nollent facere seu amplectare*. He was replying to article 2 and contrasted this behaviour with the *magno tempore* since the Order had done

Jaume de Molins distinguished between the clerical brothers of Montesa and the rest. The priests did produce "spiritual fruit" and he himself seems to have witnessed the pleasing solemnity of services in the convent. As for "the brothers outside who hold commanderies", Molins was contemptuous: all they did now was "to gad about uselessly."<sup>27</sup> In discussing the waste of the Order's resources as a result of the sexual mores of the Master and commanders, Jaume de Soler made an important distinction. The other commanders had once spent as lavishly as the Master on their concubines and bastards, when they had enjoyed the revenues of their commanderies *indistincte*. But ever since the Master had started giving them salaries, they could no longer afford their former generosity, although they still spent their reduced income on whores and *malos usos*. Soler was referring to the division of the Order's revenues carried out twenty-two years before the inquest. In the chapter of 1330 the ordinary commanders had been allocated salaries ranging from 3000 *sous* to 4500 *sous*. The rest of the revenues from their commanderies went to the central Treasury as responsions. The Commander-Major and the *Claver* alone, apart from the Master, received much larger incomes. Since the *Claver* enjoyed all the income of Sueca plus 3500 *sous* from the commandery of Perputxent, Dalmau de Cruilles' dismay at his demotion to the post of mere commander, not to mention to the ranks, is understandable.<sup>28</sup>

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military service against the Muslims or had "otherwise had been of use!" Unlike Badia, Soler was not specifically asked for his sources, but he, like all the witnesses, stated at the end of his deposition that everything he had said was common knowledge. Soler named *Franciscus de Tous* as a recipient of his father's largesse, (ff. 33v–34). Concubinage is not mentioned by the four members of the Order or the abbot of Valldigna, but six of the nine lay witnesses refer to it. The exceptions are Tovia, Díaz and Luna.

<sup>27</sup> Molins (witness no. 10), (f. 36) (xxxv sic; should be xxxvi) *alias vagantur et discurrunt huc et illuc inutiliter*. This was in addition to their concubinage, thus implying that at least the clerical brothers in the convent on Montesa observed the vow of chastity. On the latter, he said: *quod in conventum monasterii de Montesia fructus spiritualia prout est divinum officium bene fecerunt et producuntur, vider(i?) . . . huius testis cum solemniter et bene ac honeste fiat dictum officium in Monasterio de Montesia*.

<sup>28</sup> Soler (witness no. 9) (f. 34): *Item dixit quod comandatores dicti ordinis se . . . unt regere commendas similia facere maxime temporibus preteritis quibus dicti Comendatores indistincte recipiebant redditus commendariorum, sed ab aliquo tempore citra dictus Magister dat eis certum qui(tacionem) et non possunt talia facere sicut solebant*. For the chapter of 1330, see Samper, 2:460–1; Villarroja, 2:140–51; García-Guijarro, table 2, pp. 41, 134. Just as he was removed from Sueca that commandery's revenues were increased by the return of Montroi by García Gonzalbez, royal councillor and namesake of his late father, in accordance with the latter's will. AHN O. M. Montesa, Perg. Partic. no. 1000 (October 12, 1338).

The relative poverty of the commanders after the division of 1330 was presented in the inquest as the indirect cause of their tenants' oppression. Badia and Soler both linked the commanders' concubinage to their maltreatment of their tenants; but it was Soler alone who implied that the oppression of the tenants by the commanders was partly because of their reduced incomes. Badia and Soler also deposed that the Order's tenants had been compelled to leave because of seignorial abuses. They were both emigrants from Sueca and might seem to be speaking from personal experience.<sup>29</sup>

We know that in 1346 the Master complained of his tenants residing in Valencia and other parts of the *realengo*, but he was speaking of well-to-do men who normally resided in the Order's townships, but who stayed away just long enough to avoid election to local office. This, as well as the fact that Badia was a notary, blunts the edge of the latter's testimony. Moreover, another ex-Suecan testified to his own personal reason for moving to Valencia. This man, Guillem de Tovia, told the court of the occasion when the opposing armies of Tous and Cruilles had been drawn up and had very nearly met in battle at Silla. It was on that day, he said, that he had decided to leave Sueca. A decision to get away from the focus of a private war is not quite the same as moving to avoid seignorial extortion.<sup>30</sup>

There can be little doubt that the Master and commanders were guilty of oppression, like all other landlords in the fourteenth century, including the king. But if the testimony of ex-tenants of Montesa such as Badia and Soler is understandable, it was sheer effrontery for the Count of Luna and Juan Lopez de Sesse to accuse the Master

<sup>29</sup> Badia, after saying the commanders spent on their concubines and children everything they could get from their tenants, continued: *quos ea occasione maletractant taliter quod pro maiori parte . . . vassalli sunt destructi et deserere loca ordinis* (ff. 23v–24), see note 26 above. Soler (f. 34): *sed illud quotque eis reliquatur per Magistrum expendunt cum metricibus et malis usibus destruendo tam dictus Magister quam dicti commendatores et male tractando vassallos dicti ordinis et ab eis quotque possunt extorquendo, taliter quod ad destructionem deduxerunt loca dicti ordinis et ea occasione plures ex dictis vassallis coguntur deserere dicta loca*. Fanlo (witness no. 7, f. 27) also linked, though less aggressively, the comparative poverty of the commanders to the complaints of their tenants: *nec ipsi etiam videntur locupletes et tamen vassalli suorum comandatorum conquerentur de eis*. A Michael Badia and Bertran Gil, butcher, both of Sueca were admitted to the freedom of the city of Valencia on 8 June 1345, on condition that they maintained residence there, see R. A. Roca Traver "La inmigración a la Valencia medieval," *Boletín de la Sociedad Castellonense de Cultura* 53 (1977): doc. 9, p. 244.

<sup>30</sup> For the Master's complaint in 1346, see Guinot, 357. Tovia (f. 39v): *et illa die hic testis deliberavit deserere dictum locum de Cueva* for his testimony see also above, note 21).

of squeezing his tenants. The only way to explain why this accusation was voiced by two men close to the government, apart from assuming a blind hostility to Tous and a readiness to use even a double-edged weapon against him, is to interpret it as a veiled reference to the fact that all the Order's tenants (except for those in Cervera) had joined the *Union*. On this reading, it was a roundabout way of blaming the Master for not preventing the revolt of his tenants, without actually mentioning the *Union*; for to do so would alter the thrust of the inquest and invite positive evidence on the Master's personal loyalty and service.

It was in character for Peter to harbor a grudge against the Master for not controlling his tenants, even though Herédia, in Aragon, had faced a similar problem. Vice-chancellor Díaz and acting-Proctor Loriz were more discreet; and the Prior and the three knights of the Order naturally said nothing on this subject of mistreating tenants. Fray Berenguer de Erill had himself been found guilty of extortion in the village of Albocasser, as a young commander in 1323; and de l'Orde had been accused of terrorising a tenant in 1342, when he was commander of Alcala de Xivert. It would have been high irony if, in 1352, either of them had accused their Master of seigneurial oppression.<sup>31</sup> But there was much that was ironic in the testimony given in 1352. Fray Galceran de l'Orde, a particularly hostile witness, was more emphatic than his colleagues on the evils of the centralisation effected by Pere de Tous in 1330. Yet as commander of Culla in 1330, de l'Orde had been appointed as a collector of the newly introduced *Responsions*. Perhaps he had not disapproved of the system, but merely of the way it had worked against Fray Dalmau de Cruilles and his faction; and centralization would have been effectively increased after Fray Ambert de Tous became *Claver*.

According to de l'Orde the property acquired by the brethren, albeit of limited quantity, was sometimes consumed and misappropriated by them, because the Master was in receipt of "most of the goods of the Order." They were thus forced to live on what should

<sup>31</sup> Luna, (f. 44v): *magister et fratres . . . exigebant tantum quod eorum vassalli conquerebantur.*" Sesa, (f. 41): *Interrogato quomodo scit* (that art. no. 3 is true) *et dixit quare fuit pluries in locis et castris dicti Ordinis quorum habitatores conquerebantur nimis de Magistro et commendatoribus.* For Erill in Albocàsser (part of the commandery of les Coves de Vinromi), see Guinot, 358. For de l'Orde in 1342, see ACA, Cancillería real. R. 1058, f. 183 (20 Nov.). Furió states that the lay seigneuries near Sueca were exploited much more harshly than the lordship of Montesa. Furió, 64.

have been the Order's capital. Galcerán de l'Orde was probably referring to the commanders; but he may also have meant the unbeneficed knights who were supposed to be maintained out of the fees allocated to the former in 1330. The *dos* they brought, on joining the Order, would soon have been consumed, if the commanders would not maintain them. We know that one such knight had appealed to the pope in 1352 on this very issue. The archbishop of Zaragoza was asked by Clement VI to hear the suit between the Master and a Fray Rodrigo Diaz, *paupertati gravatum*.<sup>32</sup>

The general burden of the testimony concerning the present state of the Order was that it had become too poor to fulfill its purpose and that this was largely the Master's fault. The other commanders, none of whom were called as witnesses, were given only a secondary role as embezzlers. The testimony thus followed the structure of the bull of 1346 and the articles of inquest. For to persuade the pope of the need to suppress the Order, neither evidence of concubinage, nor of unsuitable dress (on which all the witnesses were agreed) would suffice.<sup>33</sup> These failings were simply too banal to shock anyone in the

<sup>32</sup> Galcerán de l'Orde (ff. 15v-16): *Etiam dixit quod fratres dicti ordinis bona per eos acquisita, licet non essent in magna quantitate, ex eo quia dictus Magister recepit et recipere consuevit pro maiori parte bona dicti ordinis, consumpserunt et devasterunt et consumpsunt et devastant aliquando seu partem ipsorum bonorum ad eos pervenientum inutiliter et incaute in alios usus quam fuerint deputata. Et hoc factum fuit temporibus retroactis et nunc etiam fit per aliquos.* For the appeal to the pope, see Clement VI (1342-1352). *Lettres Cloees, Patentes et Curiales concernant les pays autres que la France*, ed. M. Mollat and E. Déprez, *Bibliothèque des Écoles Françaises d'Athènes et de Rome* 29 (Paris, 1960), no. 2643 (May 26, 1352). A Rois Diaz appears as a simple knight of the Order in the chapter of 1330, see Villarroja, 2:141. If the suitor in 1352 was a kinsman of the vice-chancellor, the latter may well have had a personal grudge against the Master.

<sup>33</sup> Both the bull and article 4 admitted that papal privileges had authorised relaxations of the rule. For John XXII's privilege of 1328 exempting them from wearing a hood attached to the scapular, see Samper *Montesa Ilustrada* 1:183-5; O'Callaghan, "Definiciones," 217. Pere de Tous had explained that the hood prevented *nobiles and potentes* from entering the Order since it was not only uncomfortable, but also extremely inelegant (*deforme totaliter*). Contemporary opinion on the quality of monastic vocations in military orders, is indicated by papal acceptance of this argument. For a discussion of the very detailed regulations on dress in the definitions of 1331, see Samper, 1:185-91; also O'Callaghan, "Definiciones," 219, 236-7. At the inquest, Galcerán de l'Orde's hinted, perhaps hypocritically, that not all the knights had approved the privilege concerning the hood and that there was a split in the Order between the lax and the strict: *Quodque rescriptum fuit impetratum per Magistrum qui nunc est et aliquod fratres singulares dicti Ordinis a dicto domine pape Johanne* (f. 16). Fanlo (witness no. 7, f. 28) testified that they wore the scapular in such a way that it *minime apparet*. Galcerán de l'Orde had also said (f. 16v) that the scapular *non apparet eis, nisi solum quod* (the next words have been obliterated by a wormhole) *quando incedunt* (obliterated). The prior spoke of multi-coloured clothes and the use of silver on

fourteenth century. As for the testimony on seigneurial oppression it would have been positively dangerous to use it as a reason to suppress Montesa; for it amounted to class-sabotage. No Order in Christendom was safe, if these were to be grounds for suppression. To persuade the pope, the king needed evidence that the Order had ceased to serve its original purpose: the fight against Islam. Peter was so eager to do this that he alleged that the Order of Montesa "had produced no fruit" at all in defense of the frontier, from the moment of its foundation "till now," thus very much overstating his case. The high officials who testified, toed this line dutifully. The Proctor, García de Loriz; the Vice-chancellor, Rodrigo Díaz; The Justiciar of Aragon, Juan Lopez de Sesse and the count of Luna, recently governor-general of Aragon—all claimed to know of no benefit, related to its original purpose, ever having been derived from the Order. Among the members of the Order who testified, only the Prior of Montesa, echoed, rather strangely, this official line. As a priest, he may have felt himself unable to comment on the Order's military efficiency, but he could not have been ignorant of the occasions when Montesa had sent contingents to "hold the frontier." He was after all, over sixty, and must have been one of the early members of the Order, for he said that he had "become a Cistercian forty years ago," in 1312, before Montesa had been founded. His

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belts, saddles and harness, (ff. 9v–10). But he implied that only the knights, not the clerics, of the Order were guilty. Erill, de l'Orde and Nabas confessed that they themselves, like the other "brethren" wore improper dress. Erill, however, said (f. 13) that their dress *ab habitu seculari vix quandoque discernitur, nisi quando intinerant quod portant gramasias albi coloris* (white mantles were required by the *definiciones* in 1331, see O'Callaghan, "Definiciones," 219) *et quando que etiam portant redondellos de burello; Ita quod videntur esse mercatores* (In the *definiciones* of 1331 the brethren were allowed to wear mantles *de color honesto*, when it was raining, see O'Callaghan, "Definiciones," 236, clause 8). Nabas (f. 18v) spoke of the use of white mantles made of silk; and he also admitted that the scapular *non apparet eis*. Badia, Loriz and Molins (ff. 24v, 30, 37) confirmed the occasional use of white mantles *dum equitant*. Both the abbot of Valldigna and Guillem de Tovia believed that the papal rescript permitted the brothers not to wear the scapular at all, *non tenuerent portare scapulariam et videt de se quod non portan* (ff. 20, 39v). Sessmerely elaborated on the *meliores et bene delicati* materials which the Master and brethren wore "illicitly," f. 41v. Luna was not interrogated on article no. 4 at all. The only testimony in the Master's favor was given by Fanlo (witness no. 7). While confirming the other depositions, he added that Pere de Tous had tried to get the knights to wear white mantles when travelling, but not all had obeyed him: *dictum scapulare minime apparet nec videntur portare alique(m) habitu(m) maxime itinerando, nisi solum quod Magister quod nunc est fecit quandam ordinacionem quod dicti portarent gramasias albi coloris, sed dicit quod aliquando non servant ipsum ordinacionem et tunc magis videntur mercatores quam religiosi*, (f. 28). This was faint praise.



testimony certainly suggests that he felt no particular loyalty to the Order as a military institution.<sup>34</sup>

But the other witnesses were less obliging. Fray Berenguer de Erill, as one of the first group of knights to join the Order, refused to damn himself and his whole career as a fighting man, by permitting the sweeping generalization of the second article to go unchallenged. The knights of Montesa, he said, when requested in the past by the king of Aragon to hold the frontier, had done so on several occasions (*pluries*), but they had "ceased to hold the frontier" during the last ten to twelve years "because they had not been asked to" (*quare non fuerint requisiti*).<sup>35</sup> Thirty-five of Erill's colleagues Fray Galcerán de l'Orde and Fray Bernat de Nabas confirmed this. But there is an interesting difference between the two. Galceran de l'Orde was only "about forty-five," but he had been a knight of Montesa for thirty to thirty-two years, which means he must have been about thirteen when he entered the Order in 1320-1322. He was therefore not only one of the earliest members, but his whole adult life had been spent in the Order; and he echoed Berenguer de Erill exactly. Nabas, whose age is not given, had been in the Order for only twenty-three years and therefore had not known Montesa before Pere de Tous became Master. Nabas also could not accept the charge of total uselessness as it stood; but his reply contained an element of self-criticism. During the twenty-three years that he had been a knight of Montesa, the Order had "held the frontier" on "only two occasions." Moreover, he knew of no other useful purpose served by its members, for they do nothing "but eat and drink."<sup>36</sup>

Even the (non-official) laymen most critical of the Order admitted that the knights of Montesa had served on the frontier in the past.

<sup>34</sup> The prior: *dixit se ignorare contentur in eo* (art. 2), f. 8v. For his age and entry into the Cistercian Order, see f. 11v. This was the answer of Loriz and Diaz too, ff. 29v, 41. Luna was more emphatic (f. 44v): *ignoret nec autem videt nec vidit quod in alios . . . militarium ad servicium fidei convertant* (their rents). Sesa testified to having seen for himself that lack of military equipment in the Order's castles, (f. 41): *et vidit quod castra non erant bene parata armis et aliis ut deceret*, see note 31 above.

<sup>35</sup> See f. 12. For his age and the 35 years *et ultra* since he had entered the Order, see f. 14v; see also note 8 above.

<sup>36</sup> L'Orde on military service, f. 14v. On his age and profession: *xlv annorum prout credit parum plus vel minus et quod sunt xxx. vel xxxii. anni quibus ipse est frater dicti Ordinis*, (f. 17). This was "when Arnau de Soler was Master (1319-27)," (f. 15). Nabas, (f. 18): *non vidit quod a .xxiii. annis (citra quas) est miles dicti ordini, fratres in frontariam nisi duabus vicibus nec scit quod alios fructus faciant prout continetur in dicto aticulo* (no. 2), *nisi solum comedere et bibere*. Nabas is listed among the knights present at the chapter of 1330, see Villarroja, 2:141.

Molins, a citizen of Valencia, remembered them as comrades-in-arms when he had served as a cavalryman near Oriola. The Montesans, he said, had then been doing their stint of four months service a year which was required of them whenever the king was at war with Muslims. There is independent evidence that in 1332, when Elx, not far north of Oriola, was under siege by Granadans, the Order of Montesa had indeed sent a contingent.<sup>37</sup> And the abbot of Valldigna, unlike the Prior of Montesa, did remember that the brethren, though not the Master in person, had served twice or thrice in the reign of the last king, Alfonso IV. He thus implied that only since 1336 no service had been given. This estimate was echoed both by Badia and Fanlo. Badia said that the knights had not “held the frontier” for the last fifteen years and Fanlo said explicitly that, although the present Master had served in the past, he had seen neither Master nor knights hold the frontier “since the beginning of the present king’s reign.”<sup>38</sup>

The king had clearly overshot his mark. The Order had served in the past. It had certainly “held the frontier” in 1332 if not later. Although some of the answers given at the inquest suggest that the knights had failed to mobilise in Peter’s reign, both Erill and de l’Orde fixed the last occasion they had served as sometime between 1340 and 1342. We know that the Order was called up both in 1339 and 1342. But requests for actual service after 1340 may

<sup>37</sup> For Jaume de Molins (witness no. 10), see f. 35 (sic; should be 36rv): *tempore quo guerra sarracenorum vigeret contra dominum regem seu gentes suas dictus Magister et fratres tenebantur frontariam tenere contra dictos sarracenos per quatuor menses quolibet anno sumptibus suis et testis vidit quod tenuerunt semel apud Oriolam dictus Magister et aliqui fratres iiii mensibus . . . quare hic testis interfuit cum equo et arma*. Since the witness gave his age as forty-four (f. 38v) this could not have been much before 1332. This is the same man who said the commanders *discurrunt huc et illuc inutiliter*, see n. 27 above. For Montesan service on the frontier in 1332, see M. T. Ferrer i Mallol, *La Frontera amb Islam en el Segle XIV: Cristians i Sarraïns al País Valencià* (Barcelona, 1988), 133. In 1332 both the Hospital and Montesa were reprimanded for taking too narrow a view of their military obligations, see Burns, 2:p. 462, n. 111.

<sup>38</sup> For the abbot, see f. 20: *Vidit quod tempore domini Alfonsi Regis Aragone felice memorie patris domini Regis nunc regnantis dicti fratres, non tamen Magister in persona propria, tenuerunt bis vel ter frontariam contra sarracenos. Nunc vero a longo tempore citra quare non fuit guerra inter dominum Regem et sarracenos non tenuerunt frontariam*. For Badia (witness no. 6), see f. 22: *scit quod in principio institutionis dicti ordinis tenuerint dicti fratres frontariam set a longo tempore citra videlicet a .xv. annis ut sibi videtur non vidit nec audivit quod tenuerint frontariam*. For Fanlo (witness no. 7), see ff. 26v–27: In the time of James II and Alfons IV, Fray Arnau de Soler and the present Master had served on the frontier, *sed a tempore quo Dominus Rex quod nunc est regnans non vidit quod dictus Magister aut fratres tenuerint frontariam nec nec scit quod dictus ordo prosperit ex tunc votivis succesibus secundum quod consuevit*. Soler and Tovia merely said that it was a long time since the Order had served on the frontier; thereby they too denied the veracity of *hactenus* in the charge.

have been ignored, simply because an Islamic enemy had failed to materialise.

What the king needed, if he was to save his argument from total refutation, was evidence that the failure to mobilise was directly linked to the Order's wilful impoverishment and waste of resources. The only witness to oblige was Badia, the notary; and all he could offer was an anecdote. He claimed to have been present, when "about six years ago", a royal letter, requesting military service on the frontier had been received by the Master. The latter had then said aloud "Look how well prepared we are to man the frontier!" "And", Badia explained, "he was being sardonic". Badia's evidence may be malicious or misdated, or both, for it is unlikely that a royal order to defend the frontier against an Islamic enemy should have been sent to the Master in 1346, two years after the fall of Algeciras and at a time of truce with Granada. But even if Badia lied, there is no reason to suppose that the expensive and wearing feud with Dalmau had not, by 1346, affected the military potential of the Order. Indeed it was then that the king had first asked the pope to suppress it. This was not, however, the entire picture: in 1352, the abbot of Valldigna prefaced his remarks about the Order's performance in the reign of Peter, by expressing his conviction that the Order would do its duty even "now", if it were necessary.<sup>39</sup>

But the whole question of "service on the frontier" involved an equivocation. It had already sounded a little phoney at the time of the Order's foundation. For in 1317-9 the Crown of Aragon in

<sup>39</sup> For 1332 see Ferrer, *Islam en el Segle XIV*; for 1339-1342, 143-50; Zurita's description of the alert in 1340 when "the Master and his knights were in Montesa," could be taken to mean that immediately afterwards they went to Oriola and Alacante, under the command of the governor, Pedro de Xerica; but he does not actually say so, see *Anales* lib. viii, chap. 53. The call-up of the military Orders, including Montesa (but not San Jorge de Alfama), in 1342 is published in J. Vincke, *Documenta Selecta Mutuas Civitatis Arago-Cathalaunice et Ecclesiae Relationes Illustrantia* (Barcelona, 1936), doc. 416. For Badia's anecdote see (ff. 22r-v): *licet dicit audivisse . . . dici a magistro dicti ordinis quod nunc est circa sunt vi anni lapsi (in 1346) quod dictus Rex quod nunc est miserat dicto Magistro unam letteram per quadem mandabat sibi quod pararet se cum fratribus dicti Ordinis ad tenendam frontariam. Et tamen dicit se non vidisse nec audivisse quod tenuerint tunc frontariam prout eis mandabatur ut supra dixit. Interrogato si scit quare non tenuerunt, dixit signorare causam nisi quod audivit a dicto Magistro referente tunc dictam literam Regiam recepissee, quod dixit hoc testi et aliis circumstantibus: videatis qualiter sumus bene parati ad tenendum frontariam, quasi diceret se fore ad id male paratum. The Abbot, (f. 20): dixit quod credit quod ubi opus esset fratres dicti ordinis producent fructus votivos. Nam vidit etc. In 1348 both Fray Ambert de Tous and the master were licensed to export grain to the Castilian army besieging Gibraltar, ACA, Cancilleria real, R. 1136, ff. 2v, 3 (December 21 and 31, 1349).*

Valencia had no "frontier with Islam," and had not had one since the conquest of Murcia in the thirteenth century. True, Murcia was badly policed by the Castilians and Muslim raiders from Granada did cross periodically into southern Valencia. But only a major invasion from Morocco, if combined with the declaration of war by Granada, could seriously threaten the "frontier" of the kingdom. The last such threat disappeared in 1340 at the battle of Salado and even then the king of Aragon's lands had not been attacked. This slight awkwardness was addressed on the only occasion on which the charges against Montesa, formulated in 1352, diverged in substance from the text of the papal bull of 1346. Clement had stated that the Order was now unable to defend the kingdom of Valencia, "if, God forbid, it were attacked by enemies of the faith"—"or by others," the *libellus* added discretely.<sup>40</sup>

From 1340 onwards, right through to 1347, the king claimed that a naval attack from Morocco was imminent, ceasing to use the argument only on the outbreak of the Unionist revolt. Even if he had been genuinely worried in 1340 and 1342, his arguments became pretty hollow after the fall of Algeciras in March 1344. But whether genuine or not, it is self-evident that a raid by the Moroccan navy could not be fended off by "holding the frontier" in any literal sense. What the king required was that the Order of Montesa use its resources to help the Crown finance and equip a defensive fleet. And it was precisely this type of aid that the king had requested—and got. Aids to finance the equipping of warships were granted by the Order of Montesa, together with the rest of the ecclesiastical estate, in two triennial subsidies. The first ended in 1343 and was then renewed, to continue till 1346. Perhaps it is no coincidence that the

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<sup>40</sup> On Granadan raiders through Murcia see Ferrer *Frontera passim*; E. Lourie, "Anatomy of Ambivalence. Muslims under the Crown of Aragon in the late Thirteenth Century" in *Crusade and Colonisation, Christians, Muslims and Jews in Medieval Aragon* (London, 1990) study VII, pp. 18–9. For the addition in article no. 6 of the *libellus*, see (f. 7v): *Item quod dictus ordo est hodie in tali condicione et statu quod si, quod Deus advertat, Regnum Valencie invaderetur per inimicos fidei orthodoxe vel alios, fratres . . . tenere non possent ibidem frontariam etc.* Only in 1362 was a statute enacted which explicitly authorised and even obliged the Hospitallers to fight against Christians in defence of order, the king or the public good, see A. Luttrell, "Hospitaller Life in Aragon 1319–1370," in *God and Man in Medieval Spain: Essays in Honour of J. R. L. Highfield* ed. D. W. Lomax and D. Mackenzie (Warminster, 1989), 101. On the 10-year peace with Granada which Peter joined in 1345 see M. Sánchez Martínez, "Las relaciones de la Corona de Aragon con las Países Musulmanes en la época de Pedro el Cerimonioso," *AEM*, Annex 24 (1989): 88.

second aid was to end in March, precisely when the king must have first solicited the bull stating that the Order was useless. But having got the bull, the king found no difficulty in praising the Order, in February 1347, for its willingness to be of use; for it had just granted a new aid of 100,000 Barcelona *sous*. In 1343 and again in 1347, the king had had to insist that these "alms" were exclusively for war against "the perfidious king of Morocco," as the first triennial aid had genuinely been; for only the towns and the nobles could be asked openly to subsidize what had become, by 1343, Peter's chief preoccupation: the conquest of the kingdom of Majorca from James III, his "faithless" vassal and kinsman.<sup>41</sup>

<sup>41</sup> ACA, Cancilleria real, R. 1378, ff. 146–148v (February 17, 1344): all places of the Order are to pay an *almoína* over the next three years in the same way as they have paid in the past triennium. It is for aid against the king of Morocco, who "specially intends to invade our kingdom." He has, so far been repulsed, but he will try again; the Master is indeed *bonum publicum zelatorum* and is asked to organize the payment *liberaliter* conceded, on the same lines as the last *almoína*, although Berenguer de Codinachs is authorized to make reductions for the Order's vassals—if necessary; f. 148v (same date): the king has "decided" that the Order will contribute 100,000s a year for the next triennium and he divides the sum between the bailiwicks. It was if he were taxing them directly, without the mediation of the Master. (The total came to 110,800s.b.); ACA, RP, Tesoreria, R. 876, f. 71 (March 11, 1344): a receipt for 60,000 *sous* contributed by the Order in aid of the war against the king of Morocco; *ibid.* (March 21, 1344): the king refers to a grant, agreed by the brethren and tenants of Montesa, of 60,000 Barcelona *sous* for the war against Morocco which was to be paid within the next two years in 6 instalments, to continue till March 1346. This seems to represent a reduction reached after negotiations with Codinachs. For distraint against the "temporal possessions" of the Master of Montesa, see *Pere III of Catalonia, Chronicle* (trans. and ed., M. and J. Hillgarth), 2 vols. (Toronto, 1980), 2:chap. III, p. 93; ACA, Cancilleria real, R. 876, f. 59r–v (March 31, 1344): confirmation of a privilege of San Mateu, in view of the town's "zeal in the war against Morocco." In 1344, however, Sueca was refusing to do military service (and presumably to pay scutage) unless the war was against "Saracens who had invaded the kingdom of Valencia" and only then under the command of the Master who had to have royal authorization to mobilise them. They cited a privilege granted by the Hospital in 1280 and confirmed by the Master of Montesa in 1328 as their justification, see Granell, 1:391–3 also Furió, *Camperols*. But this refusal to serve under the *Claver* "wherever he chose" was obviously linked to private wars, e.g. the feud with Dalmau de Cruïlles, see Granell, pp. 394–395. R. 1497 f. 172 (February 1, 1347): a summons to a colloquium in Valencia because of rumors of a Moroccan invasion, to give the king aid and counsel. It was to meet on February 14, 1347. R. 1472 f. 21r–v (March 7, 1347): the king has decided to demand 100,000 Barcelona *sous* from the whole Order (against Morocco) and he divided the sum equally between the bailiwicks. Peter again seems to be treating the tenants of the Order here as his direct subjects. He clearly did not expect his story about the Moroccan threat to be believed in 1347, as his instructions, on how to parry the expected scepticism of the king of Castile, show; see Ferrer, doc. 72 (January 29, 1347), esp. p. 295, but cf. docs. 73, 78.

The Order, like every one else, bargained over these taxes, and in 1343 local refusals to pay had led to royal acts of distraint against some of the Order's tenants. But the king was sufficiently sure of the fiscal good will of both Master and *Claver* to commission them as collectors of the subsidies. The amounts originally allocated to each of the Order's bailiwicks in 1344 and 1347 have survived. Even if the Order in the end paid only half the promised sum, it is quite extraordinary that these "alms" are not mentioned by any of the fourteen witnesses at the inquest, not even by the members of the Order who testified. Those witnesses who smeared the Order by saying, under oath, that it had never been of any use in the "war against Islam," were clearly placing loyalty to the king's present purpose above strict adherence to the truth, or at least to the literal sense of the Order's grants in aid "against the perfidious king of Morocco." It is possible and indeed likely, that the feud with Dalmau and its attendant expenses in 1343-6, were connected in the king's mind not only with the natural reluctance of the Order's tenants to pay taxes, but with their real difficulty in meeting the full quota of the *almoína* imposed on them. In 1343 and again in March 1347 the king explicitly anticipated the need to reduce the allocated sums. If so, the king's decision to ask Clement VI to suppress the Order, was not because he was concerned for the "crusade against Islam" or the "defense of the frontier" but because the Order was wasting its revenues on in-fighting, instead of supporting the king's campaign against his own brother-in-law.<sup>42</sup>

But there were other reasons besides this for the king to have thought it worth the trouble of suppressing the Order. Neither the *almoína* of 1340-1343 nor the burgeoning feud with Dalmau, nor even the long-drawn out litigation with the bishop of Segorbe over the tithes of Castrofabib and Ademuz,<sup>43</sup> had prevented Pere de Tous from raising 80,000 *sous* in 1343 to purchase the *merum imperium* or high justice in Sueca, Onda, Vilafames, Perputxent and Montroi; and he had paid the king at the same time an additional 20,000 *sous* to confirm the Order's supreme appellate jurisdiction in the *tenencia*

<sup>42</sup> ACA, Cancillería real, R. 1378, ff. 146v-8. For the commissioning of the Master and his brother Fray Ambert; see also ACA, MR, R. 638, ff., 39v-40 (March 6, 1341): Fray Ambert de Tous as one of the administrators of the *almoína*, accounted for 14,000 *sous*.

<sup>43</sup> For the quarrel with the see of Segorbe, which began before Tous became Master and continued into the fifteenth century, see Guinot, 368, 401.

of Culla—a privilege dating from 1326, but contested by the inhabitants. In other words, by 1346, if anyone was guilty of improper alienation it was the king, who had sold the Order major regalian rights. In fact, these sales were really long-term loans, for they were redeemable in the future. Thus the Order had been most “useful” to the king and the contents of the bull of 1346 amounted to disinformation. But by the same token the Order had become a major creditor of the Crown, and given the king’s chronic shortage of cash, any hope of recovering the alienated jurisdiction by repaying the 100,000 was unrealistic, if only because the Master had stipulated that the repayment had to be made in one lump sum, and not in installments.<sup>44</sup> The Order of Montesa had been able to provide the king with extensive credit. It had paid annual taxes under the rubric of “alms.” Why should the king imagine that the Hospital, heavily in debt, and involved in the crash of the Florentine banks, would prove more useful? And a single cash-payment from Herédia was surely not worth the complicated procedure of getting the pope and the Montesans to agree to the suppression of their Order. Moreover, it is difficult to believe that Peter failed to see the point of his grandfather’s policy. Even if he had every confidence in Herédia, there was no reason to suppose that Herédia would always remain Castellan of Amposta. Besides, once the merger with the Hospital had been effected, money, horses and arms would flow out of the kingdom of Valencia to the East; and even if the king kept the flow to

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<sup>44</sup> Díaz Manteca, 568. The Master’s kinsmen may have been enriched at the Order’s expense, but the king also benefitted: Ramon de Tous and Bernat de Tous lent the king 20,000s.b and 10,000s respectively, each “buying” jurisdiction and control over a castle: Ramon bought Esparreguera and Bernat bought Tous, see ACA, Real Patrimonio. MR. 2460, f. 2r-v. A citizen of Barcelona, Pere Sa Costa had held the castle of Esparreguera and had bought high and low justice there (except for crimes carrying the penalties of death, exile and mutilation) on March 14, 1342. The sale was to be voided if the money was repaid within 20 years. Costa’s grandfather had already held the castle in 1335, ACA Pergaminos, Pere III, no. 639; also Cancillería real, R. 873, 70v-71. Either Costa had died without issue or Ramon had bought Costa out. For a reference to Ramon de Tous as *señor* of *Esparoguera*, Samper, 477. Samper was not aware that Ramon was one of Pere’s brothers, but he did name Bernat as a sibling. Bernat de Tous was the *alcaid* of Xativa, a named member of the Master’s faction in the feud with Dalmau de Cruilles in 1344 and possibly the Master’s eldest brother. However, there was another Bernat de Tous, also a royal councillor, who held office in Catalonia. It is often difficult to know which one is intended when a “Bernat de Tous, councillor” is mentioned in dealings with the Master. There was a place called Tous both in Catalonia and in Valencia.

a trickle, this was hardly a good solution to the problem of "holding the frontier;" especially as, for the past sixty years, the Hospital's military aid against Islam in Valencia had been small and reluctant.<sup>45</sup>

Of course, only a merger with another military Order could be presented, officially, as an appropriate solution, once Montesa had been tried and found wanting. It is worth noting, however, that the bull of 1346 spoke of the proposal to merge Montesa with the Hospital as only one possible remedy. Clement VI himself may have added the words *vel alias*, in order to leave matters open. This would not be surprising given his opinion of the Hospitaller Order. Only three years earlier he had threatened to abolish it and create a new one, so irredeemably corrupt did he think it had become. Peter could not really have believed that Clement would want to entrust the Hospital with curing corruption in Montesa. In any case, public opinion in the West was so critical of the wealth of the Hospital, that to enrich it further would be a public-relations disaster for the papacy. This was so obvious, that the loophole phrase *vel alias* may well have been in the king's original petition. It is therefore most unlikely that, in collecting "the evidence" against Montesa, Peter meant to carry out his declared intentions in any straightforward manner.

It makes better sense to assume that the plan to incorporate Montesa with the Hospital was in large measure intended as a cover story, directed at the pope, at Herédia and perhaps, at Pere de Tous as well, although it is doubtful whether the Master (or the pope) was taken in for long. Any benefit that might accrue to the Hospital was, in the king's calculations purely secondary. What impelled him was not incomprehension of James II's policy, but a desire to repeat it in one particular. James II had held on to the Templar properties of Valencia for almost a decade before he handed them over to the new Order of Montesa; and he even managed to control the lands of the Hospitallers intended for Montesa for the two years it took to put the pope's formal creation of the Order into effect. It is possible, also, that Peter regarded his grandfather's dealings with the ex-Templar goods under the Crown of Aragon as over-hasty. In 1346 Peter was able to see how less precipitate action had enriched the

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<sup>45</sup> For large debts to Ismael de Portella, repaid by a special levy on the Hospital's tenants, see *AHN*, Codices 600 B, ff. 45v-50 (20 May 1350); for lost bank investments, see Luttrell, *Hospitallers*, nos. 8, 11, pp. 318-9; idem, "Hospitaller Life," 100 for reluctant service in 1287 and in the first half of the 14th century, see Lourie "Ambivalence," 9.



Crown of Castile, for as late as 1366 Pedro I was still hanging on to ex-Templar property.<sup>46</sup>

It was not difficult for Peter to follow where the king of Castile still led. To negotiate for the suppression of Montesa and its merger with the Hospital in Aragon, involved a procedure which, although left unspoken, was nonetheless indispensable: the delivery of all the Montesan castles and holdings into the custody of the Crown. The Castellan of Amposta could not be given possession until he and the new Hospitaller commanders in Valencia had first done homage for them to the king. This was the procedure which the king insisted upon in 1348 when he finally agreed to recognize the Castilian Master of Calatrava. In 1352, the very year of the inquest, he again seized the holdings of Calatrava in the Crown of Aragon because there had been a sudden threat of war with Castile. The fear proved groundless and the castles were then returned on the same conditions as before. The king was told that the pope had accepted the king's reasons for seizure. Hence it would be only proper—and necessary—to establish the Crown's proprietary rights in Montesa's castles, before possession be given to the Hospital.<sup>47</sup> Peter must have welcomed the vagueness which the bull had introduced into the proposed remedy, even if it had not been suggested by him. It augured well for prolonged discussions following a decision to suppress Montesa, thus stretching out the period during which the Crown's administration of the Order's property would appear perfectly legitimate. There was in any case bound to be an interim period of considerable confusion and perhaps even armed opposition. All sorts of claims against the Hospital, real and invented, might require "sorting out" before the transfer could be made. It seems obvious, therefore, that many of the Montesan castles would come to rest in the royal demesne, as

<sup>46</sup> Guinot, 29. For ex-Templar property in Castile, see M. Barber, *The Trial of the Templars* (Cambridge, 1978) 236; also J. Goñi Gaztambide, *Historia de la bula de la cruzada en España* (Vitoria, 1958), 297.

<sup>47</sup> On Calatrava's homage in 1348, see J. Caruana Gomez de Barreda, "La Orden de Calatrava en Alcañiz," *Teruel* 8 (1952): 111; for 1352, see ACA, Cancillería real, R. 1135, ff. 62v-63: Peter's satisfaction in a letter dated September 17 that Clement had proved agreeable to the seizure of Calatrava's holdings; R. 1102, f. 6r-v (22 Oct. 1352): the fear of war with Castile has now passed. The lands will be restored, if homage is done for possession alone; The Crown retains proprietary rights. I am unable to follow Luttrell's argument that the king was planning to give Herédia the holdings of Calatrava (Alcañiz), Luttrell, "La Corona," 73. The king had already tended to treat the Order as his own, in advance, as it were, of the virtual takeover planned in 1346. See note 41 above for the tax demand of 1344.

had so much Templar property in Castile, on a "permanently ad hoc" basis.

Even if the *tenencia* of Culla was eventually given to Herédia, there can be little doubt that he would have received it shorn of the appellate jurisdiction which had been alienated to Montesa. The same held true for the more recent alienations of regalian rights in 1343—in short, the king would execute an "act of resumption" in the most convenient possible manner: by reneging on his debts to the Order. In addition, since many regalian rights had been sold for ready cash by the Crown to others besides Montesa, its revenues—and the Order was the richest ecclesiastical landowner in the kingdom of Valencia—would help to wipe the slate clean. Nor was the idea of a takeover new: in approximately 1322 the king of Naples had suggested that James II of Aragon give up his claims to Sardinia and Corsica and receive instead the lands of Montesa (and the Hospital) in his own kingdom.<sup>48</sup> If the prospect of replenishing the royal coffers with Montesa's lands was attractive in 1346, it was even more so in 1352. True, with the death in battle of James III of Majorca in 1349, the effort and expense involved in maintaining control of that kingdom were considerably diminished. But Peter was now at war with Genoa and it was not going well; for in the Pyrrhic victory of February 1352, half the Catalan fleet had been destroyed. Also the constant effort to contain revolt in Sardinia was always expensive and never finally successful; and the king found it difficult to keep up payments of the annual tribute he owed to the pope for the island.

Nevertheless Clement VI was anxious to get the king of Aragon, Genoa and Venice to make peace in order to prepare the ground for a crusade to the East,<sup>49</sup> and this may have led the king to believe that he could get the pope to agree to his Montesan policy, if not

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<sup>48</sup> From a list of hearths prepared for tax-purposes 1363, it is evident that Montesa was the largest ecclesiastical lordship in the kingdom, even if the section giving *los fochs de les viles castells et lochs et alqueries del brac de la iglesia* is not exhaustive. Out of a total of 9304 hearths in 81 towns and villages, Montesa (in 44 places) had 5242, or 56%. The list is an unnumbered item in *AHN*, Ordene Militares, Archivo del Consejo de Ordenes, leg. 6489. For the king of Naples' idea, see Luttrell, "Corona de Aragon," 71.

<sup>49</sup> J. N. Hillgarth, *The Spanish Kingdoms 1250–1410*, 2 vols., (Oxford, 1976), 1:368. In 1352 Clement was urging the king to make peace with Genoa, Zurita, lib. viii, cap. 48. For the connection between Clement's hopes for a crusade in the East and the war between Aragon (allied with Venice) and Genoa, see D. Woods, *Clement VI. The Pontificate and Ideas of an Avignon Pope* (Cambridge, 1989), 185; see also N. Housley, *The Avignon Papacy and the Crusade 1305–78*. (Oxford, 1986).

necessarily to the merger with the Hospital. On this reading, the king's suggested remedy for the ills of Montesa was a useful ploy in gaining the support of Herédia, but not an essential part of the king's real purpose. But why did the king not act in 1346 on receipt of the Clement's bull directing an inquest to be held into the state of the order of Montesa? The most likely reason is that by the time the bull arrived or very shortly afterwards, Peter had begun to plan the replacement of his brother by his eldest daughter as heir-presumptive to the Crown, should he, the king, have no son. From the account in Zurita, the queen, having been delivered of another daughter (who died) in April 1346, was once again pregnant three months later—and already by Christmas 1346, when she was only in her sixth month, the king had convoked a brains-trust of lawyers to provide him with the arguments which would justify his intention. In other words, in the second half of 1346 the king was already thinking of a policy which he knew would encounter a lot of opposition, if only from his own brother and the latter's supporters. This then was not the time to alienate the Order of Montesa or its Master; and by April 1347 the constitutional issue had revived the *Union* and the king was faced with a large-scale revolt both in Aragon and Valencia.

Not till December 1348 was the revolt of the *Union* finally crushed. The process of imposing heavy fines on the townships which had revolted, in which were included almost all the places belonging to Montesa, had not been completed as late as 1351. Moreover, the king short of cash as usual, had sold his own regalian third of the heavy fines imposed on the Order's tenants—to the Order. These fines made the charge of oppression levelled against the Master in 1352 not so much incorrect, as grossly unfair. The charge required especial gall, since the king had benefitted by the annual "alms" paid by the Order's tenants in 1340–1347 and they had had to finance the Master's purchase of Crown jurisdiction in 1343. The fines imposed on them after the *Union* were only the final stage, prior to the inquest, of their indirect exploitation by the king. The silence of the witnesses about even this, the aftermath of the *Union*, was again to deceive the pope by deliberate omission. And although the 1000 florins "owed to the Master" by Sueca and given by him to his brother Galceran (according to Soler) were obviously part of the fine of 30,000 *sous* imposed on Sueca in 1349 "for crimes . . . against the king and his Senyoria during the late nefarious *Union*," this indirect reference

to the rebellion was too muffled, too deliberately discreet, to be understood by anyone without prior knowledge.

The fines imposed on the tenants of Montesa were to be paid over the next ten to twelve years.<sup>50</sup> To suppress the Order now would mean that these installments would be paid into the Treasury. At the same time, this long-term burden on the Order's resources, which was still being negotiated and imposed in 1351, may have led the king to decide, by July 1352, that the Master and Order of Montesa had been squeezed to the limit for ready cash. There would be no aids or subsidies in the near future; and so now was the time to get hold of some or all of the Order's capital: to attach most of its possessions to the Crown, under the guise of attaching them to the Hospital. Thus Herédia was right to seek reassurance from his post in Avignon.<sup>51</sup> What he may have doubted, however, was not Peter's will to suppress Montesa, but his declared intention of conveying its goods to the Hospital.

Herédia's interest in the proposed merger of Montesa with the Hospital, especially after the Black Death, is self-evident. The king's ostensible interest in thus aggrandising an Hospitaller, whose horizons were already wider than the Crown of Aragon, is far less obvious. His real purpose, suggested above, which he could avow neither to the pope nor to Herédia, is far more plausible. It not only takes account of the Crown's financial position, but also of everything we know about king Peter's character.

However, the case against Montesa had first to be built up. An inquiry into the state of the Order was necessary to provide grounds for its disappearance. Not all the witnesses, as we have seen, were prepared to deny that the Order had been militarily useful in the past; but they all agreed that the Order was "now" unable to put into the field more than twelve to sixteen knights at most, and even

<sup>50</sup> For events leading up to the Unionist revolt, see Zurita, *Anales*, lib. viii, chap. 5. For the fines imposed after it was crushed, see Mur, "Pedro IV", 203-4; Díaz Manteca, 100-6. For Sueca, Furió, 171.

<sup>51</sup> ACA, Cancillería real, R. 1135, ff. 62v-3 (Sept. 17, 1352): *Quant es de co que vos vos dubtats que nos no perseverem en nostre ferm proposit vos responem que per cosa del mon no variaram en co que promes avem ans ne podets estar ferm. Car nos tractam aci ens pensam que vendra a perfeccio quel maestre de Muntesia no do algun contrast o enbargament als negocis que sabets*. The decision to act on Clement's bull in 1352, did not mean that Montesa was unable to give the king any financial aid: Pere de Tous, as an *auxilium gratiosum sive obsequium*, equipped a galley for the war against Genoa in 1353, see R. 896, f. 74 (July 30); also Javierre Mur "Pedro IV," 203. None doubted, however, that the Master personally was very wealthy, see the discussion below.

these did not have their full complement of horses and arms. If the small number of knights in 1352 could be attributed to the Black Death—and not many of the fourteen witnesses had the grace to admit this—the “great mortality” could not explain this amazing shortage of horses and arms.<sup>52</sup> There is in fact independent evidence to show that the demographic effects of the plague were greater than Guinot thought, and that the Order had lost at least 26% of the population in its towns and villages.<sup>53</sup> But even such a drastic fall in revenues does not explain why the Order was unable to muster twelve to sixteen war horses. The plague might be responsible for the paucity of knights, but not for their lack of appropriate mounts.

Almost all the witnesses who claimed knowledge of the matter,

<sup>52</sup> Only Fray Arnau de Selva, the Prior and the Valencian citizen Ponc de Fanlo (witnesses nos. 1 and 7) mentioned the Black Death as a factor. Selva, (ff. 10v–11): *contenta in ipso* (art. 6) *fore vera, ex quo quare tam propter mortalitatem preteritam quam propter paucitatem fratrum militum qui non sunt in dicto ordine nisi XV numero vel pauci plures sufficientes seu idonei ad arma and non omnes sunt parati immo aliqui et plures ex eis non teneant equos nec scit quod teneant arma.* Fanlo, (f. 28v): *dixit quod propter mortalitatem preteritum dicti fratres et bona etiam ordinis sunt . . . diminuti et diminuta quod non videt quod dicti fratres essent potentes ad tenendam frontariam.* Fanlo also referred to the age factor—only some of those left were young enough to fight: (f. 29): *non sunt tot quot solebant esse set sunt aliqui ex ipsis juniores et potentes ad exercitium armorum.* Fr. Berenguer de Erill (witness no. 2), (f. 14): *Interrogato quot fratres sunt hodie in dicto ordine suficientes ad arma portationem dixit quod .xiii. vel .xv., but plures non habent equos et arma;* this was the estimate of Jaume de Molins (witness no. 10). (f. 38): *credit quod sunt (xiii?) vel xv fratres minus sufficientes ad arma.* Fr. Galceran de l’Orde, said that only twelve to thirteen brothers were capable of bearing arms, but not all of them have *equos et arma* (f. 17v). Nabas (witness no. 4), f. 19: *dixit quod xvi sed non omnes habent equos et arma.* But Nabas almost immediately afterwards changed his estimate to “fifteen or sixteen.” Badia (witness no. 6), (f. 25v): *Interrogato quot fratres habent nunc in dicto ordine equites suficientes ad arma? Respondit quod XV parum plures et illi pauci quod nunc sunt non habent pro maiori parte equos neque arma nec sunt ita parati quam ad modum esse consueverunt . . . Quamobrem non possent tenere frontariam comode . . . prout deberent.* Neither Loriz, Soler, Sesse nor Luna (witnesses nos. 6, 9, 12, 14), knew the present number of able-bodied knights. Loriz only knew that they were fewer than before (f. 30v) and Soler stated that they were absolutely few, (f. 35v): *dixit se nescire perfecte de numero licet plures eorum cognoscat, set bene scit quod sunt pauci;* and at (f. 35): *pro maiori parte non habent equos et arma ut decet . . . quare potentia eorum quasi nulla es vel satis modica.* Sesse and Luna merely said that the knights could not fulfil the Order’s original purpose *quia pauci sunt*, ff. 42v, 45v. Diaz (witness no. 13) claimed that he neither knew their present number nor whether they were able to hold the frontier, (f. 40.) Only the Abbot of Valldigna (witness no. 5), believed the knights were “sufficient” to hold the frontier “if necessary,” although he did not know how many there were in 1352, (f. 21). War horses were expensive: in 1350 Herédia had paid 2650s for one, see Luttrell, “Hospitalier Life,” 112. But the claim that the Order could not afford 16 of them is astonishing.

<sup>53</sup> For the demographic effects of the Black Death see the table in the Appendix. The data for 1363, not used by Guinot, radically modify his conclusions. Guinot, 290–2, 439 (table 41).

stated that the Order had originally boasted at least thirty fully armed knights. Only one witness placed the number as high as thirty-five to forty. This is unlikely since de l'Orde said the total membership had once been fifty to sixty, including the clerical brethren and the *conversi*; and Molins a layman, but well-informed, said the total number of knights and *clerici* (excluding the *conversi*), had once been forty. The absence of any reference to serjeants suggests that the witnesses lumped them with the *conversi*.<sup>54</sup> These figures are surprising, for it has been assumed that the ratio between knights and other members of the Hospital in Aragon was 1:10 and that with some two-hundred members, there were no more than perhaps twenty Hospitaller knights.<sup>55</sup> It is worth noting that in the general chapter of 1355 there are twenty-six named members of the Order as well as unnamed "others" and among the twenty-six at least thirteen were knights. Thus the testimony to the complement of knights in 1352 seems to have been fairly accurate.<sup>56</sup>

The witnesses did not only claim that the number of knights ready for war had been reduced by more than half. Berenguer de Erill and Galcerán de l'Orde made it clear that even the commanders with proper mounts were too poor to fight, since they would have to

<sup>54</sup> Erill, f. 14 *Interrogat . . . quot esse consueverunt dixit quod xxx et ultra*. L'Orde, f. 179: *dixit quod tempore quo dictus magister prefuit dicto ordine (in 1327) erant in dicto ordine inter milites clericos et conversos lviij vel lx se quot erant tunc suficientes ad portandum arma dixit se non recordari*. The decline in numbers is thus laid at the present Master's door, without reference to the plague. Nabas who had been in the Order for over twenty years said: "*se non recordari* how many brothers there used to be." The Prior (f. 11) did not claim a lapse of memory he said "*se nescire* the number of the knights in the past." If the Prior's clerical status excuses his lack of interest, Fray Bernat de Nabas's answer seems positively shifty. Laymen had better memories: Badia said that when he was aged about 22 (in 1352 he gave his age as 50 *et ultra*) land had heard the Order being discussed in James II's court, *tunc esse in dicto ordine xxx milites parati cum armis ad tenendum frontarium* (ff. 21v–22.). When directly asked how many there used to be in the Order: *Respondit lx vel lxx* (f. 25v). Fanlo, f. 28v: *Interrogato quot esse consueverunt dixit quod de xxxv usque ad xlv*. Soler, asked how many *fratres suficientes ad arma* there had been *temporibus retroactis*, *dixit quod credit quod de xlv usque a l milites et clericos* (see f. 35v). Molins said that *solebant esse xl inter milites et clericos* (see f. 35v). Neither Loriz nor Tovis knew how many there used to be (ff. 29v, 40). The abbot Sesse Díaz and Luna were not asked explicitly about the former complement of knights.

<sup>55</sup> For the ratio of 1:10, see Luttrell, "Hospitaller Life," 111. Erill's and Badia's figures indicate an astounding ratio of 1:2 in Montesa in the 1320's; but see *L'Enquete pontificale de 1373 sur l'Ordre des Hospitaliers de Saint-Jean de Jerusalem* ed. J. Glenisson (Paris, 1987), 1:31: in thirty-three communities east of the Rhône in 1338, there was a total of 334 brothers of whom 72 were knights, 148 serjeants and 114 chaplains. With the serjeants the ratio was almost 1:2; without them the ratio was under 1:4.

<sup>56</sup> Javierre Mur "Pedro IV," 214–5.

mortgage their commanderies to raise the necessary cash.<sup>57</sup> This was entirely in accordance with the bull and the *libellus*. But several witnesses seemed to stress the commanders' poverty, the better to complain of the Master's enormous wealth. They therefore contradicted the explicit statement, in both the bull and the charge-sheet, that the Order as a whole was now too poor to fight against an Islamic foe. The knights of Montesa who testified, as well as García de Loriz, Jaume de Molins and even the abbot of Valldigna, insisted that the Master was now so rich that he alone could finance a contingent for the frontier. The Master's wealth (as well as Fray Dalmau's) was indirectly illustrated by the testimony that at Silla over 200 knights and 2000–3000 infantry would have clashed, if the battle between the two warring factions had not been aborted.<sup>58</sup>

But this evidence of waste cut both ways; for it showed that the Order had been able to put a considerable force in the field shortly before the bull of 1346 had been issued. It damned the Master, but it also undermined the claim that the Order no longer had the resources "to hold the frontier." Moreover, if there never had been more than thirty to forty knights of Montesa, then the Order must always have been expected to use mercenary knights to make up the large contingents demanded of it by the king. After the financial reorganization of 1330, these mercenaries would have been centrally funded. The change for the worse lay in the allegation that now the entire force, knights of Montesa included, would have to be on the Master's payroll.<sup>59</sup> The most striking testimony of the manner in which

<sup>57</sup> Erill: *fratres non habeant multa bona penes se . . . Ita quod si requirerentur de tenendo frontariam quod iam non possent tenere nisi impignorarent bona ordinis quare potencia eorum debilis est*, (ff. 12v, 14); de l'Orde: *Immo haberent bona dicti Ordinis pignori facere*, (f. 16v). Bernat de Nabas said explicitly that the shortage of horse was because the brethren had no mobilia to buy them with, see f. 19.

<sup>58</sup> For the forces mobilised at Silla, see Soler, (f. 34v): *Et uno die congregarunt se tam dictus Magister quam dictus Dalmacius apud locum de Cylla cum ducentis militibus ultra et cum duobus vel trinus milibus peditum*. Badia, (f. 25): *recordatur quod semel dictus Magister et sibi adherentes crediderunt habere cum dicto Fratre Dalmacio et suis valitoribus magnum prelium et conflictum apud locum de Cilla, ubi erant congregati inter utraquem partem ultra duo milia hominum armatorum*. Erill had referred to the *diversis militibus stipendiariis* employed by the Master in his feud with Dalmau de Cruïlles. A fully armed knight cost 8s a day, light cavalry cost 3–4s per diem. Infantry cost 18d.

<sup>59</sup> For dependence on the Master, see de l'Orde, (ff. 16v–17): *dictus Ordo est hodie in tali condicione et statu si dictus Magister non provideret fratribus . . . fratres non . . . poterant ad tenendum frontariam . . . et quod eo quare Magister recepit et recipit omnia bona dicti ordinis et si ipse Magister habeat de quo dicta frontieria posset teneri hoc dictus testis ignorat*. Nabas, f. 18v: *non est thesaurus nec alia bona mobilia dicto ordine ex quibus possent tenere frontariam*

the Master had come to control all the resources of the Order was supplied by Fray Galcerán de l'Orde: the Master had transferred to his brother Ramon's castle of Esparreguera the entire contents of the Order's Treasury in 1350. He had done this on his departure from the kingdom of Valencia, intending to visit Rome for the Jubilee. The transfer of the Treasury to Esparreguera castle was presented as an act of gross irresponsibility. Galcerán de l'Orde pointed out that if the Master had died in 1350 when he left for Rome or at any time since, the Treasure of the Order would have remained in Catalonia and under the control of a layman. It seems therefore that at the time of the inquest the contents of the Order's Treasury was still in Esparreguera. On this account, the Order would not have been able to serve the king on the frontier, not because it had no money, but because the Master had spirited its ready cash and valuables out of the kingdom of Valencia.<sup>60</sup>

The inquest was in fact a double bluff. The witnesses in Valencia were not told the full contents of Clement VI's bull, with its reference to a possible union with the Hospital. Only the biased representation of the origin of Montesa's property in the phrasing of the first article could have given them a (very faint) clue to what the king was ostensibly planning. The Hospital's reputation was such that a takeover by the Castellany of Amposta would hardly have occurred

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*nisi dictus Magister habeat (de bonis suis?).* The abbot explicitly linked his conviction that the brethren would do their duty, to the Master's wealth: *Nam audivit dici quod dictus Magister est multum dives et habet Thesaurum magnum penes se*, see, f. 21. Garcia de Loriz also thought that the ability to hold the frontier was less a function of the paucity of knights than of the Master's wealth: *dicti fratres solum non possent tenere frontariam. Set ex quo Magister dicti ordinis qui est potens dicitur est locuples (si) vellet dare operam quod possent tenere frontariam*, (f. 30v). Molins who had testified to the duty of the knights to serve for four months a year at their own expense, said that now *nec habent unde possent tenere frontariam nisi dictus Magister faceret debitas provisiones de suo Thesauro prout his testis credit. Si in illa Thesaurum vellet convertere inibi*, (ff. 37v–38). The Count of Luna was of the same opinion: *dixit se credere quod nisi dictus magister haberet vel stipendialet aliam . . . quod non bene possunt tenere frontariam quia pauci sunt*, (ff. 45rv).

<sup>60</sup> See ff. 16rv: *quando dictus Magister accedit ad Romanam Curiam credens ire Romam anno jubileo ultimo lapso dictus Magister aportat secum seu portari fecit apud quidem locum qui erat R. de Tous fratris sui, vocatum de Spararagaia, omnia bona mobilia quod ipse Magister habebat a dicto Ordine et Thesaurum siquem habebat. Ita quod si tunc mortuus fuisset vel nunc moreretur dictus Magister, fratres dicti Ordinis seu ipse Ordo non habere de quo dictam frontariam possent tenere nec unde valerent comode sustentari. Immo haberent bona dicti Ordinis pignori tradere.* For Ramon's "purchase" of Esparreguera see above note 44. For the jubilee, see Woods, 90–3. The Master may not have left Catalonia. The king was not anxious to let his subjects leave for Rome, because of the ensuing peril (so he claimed) to Valencia and to Majorca. In February 1349, he asked the pope to let them make a pilgrimage to a local church instead, R. 1130, f. 27v.



to the four Montesans and the abbot of Valldigna, as a likely outcome of their testimony.

What then did they imagine they would achieve with their evidence? The bull of 1346 spoke not only of the Master but of the Order's presidentes or commanders as responsible for its poor performance. In the articles of inquest it is always the *magister et fratres* together who are stated to be at fault. If this means that the king had intended to smear the whole Order equally, the depositions failed to provide him with what he wanted. The animus of the witnesses, especially the three Montesan knights, against Pere de Tous is striking. It even caused Fray Bernat de Nabas to contradict himself. This animus probably explains why the only evidence in the Master's favor on the subject of monastic discipline came from a layman and it certainly explains why the three knights and the Prior failed to mention Fray Dalmau's role in the *Union*—for any reference to his treason would *ipso facto* remind the Commissioners of the Master's loyalty.<sup>61</sup>

The Master's alleged *démarche* with the contents of the Treasury strongly suggests that he had feared a putsch to unseat him once his back was turned and that he did not even feel he could rely on his brother. It certainly bears out the testimony of Garcia de Loriz that in 1352 there was "dissension and ill-will" in the Order. Fray Berenguer de Erill insisted on its ongoing, daily mismanagement by the Master; and he claimed that, in testifying, his sole concern was the good of the Order. Everything he said is conducive to the belief that what he and his two colleagues had in mind was the deposition of Pere de Tous, not the elimination of their Order. In 1327 there had been just such a deposition in the miniscule military "Order" of San Jorge de Alfama.<sup>62</sup> There was no reason to suppose it could not

<sup>61</sup> Nabas said that the knights had served on the frontier twice since he had joined the order (twenty three years before); and that he had never seen its property (bona) in *utilitatem dicti Ordinis conversa fuerunt nec convertuntur a tempore quo ipse testis est in dicto Ordine*. But the expenditure on military service, even if miniscule, could not be called a waste of the Order's goods, see f. 18. For Fanlo's testimony that the Master had tried to impose some discipline in dress, see note 33 above.

<sup>62</sup> Loriz, (f. 30): *inter dictum Magistrum et aliquos fratres eiusdem Ordinis sunt dissensiones et male voluntates racione credit quod bona dicti Ordinis improvide expendunt*. Erill, (f. 14v): *zelando pro utilitate Ordinis et indemnitate ipsius, quare videt quot cotidie bona ipsius Ordinis consumuntur et devorantur per dictum Magistrum*. The Commander of San Jorge had been unfrocked as well as deposed. It was in fact merged with Montesa in 1400, see *Diccionario de Historia Ecclesiastica de Espana*, s.v. Ordenes Militares, c. 5: San Jorge de Alfama; R. Sainz de la Maza Lasoli, *La Orden de San Jorge de Alfama. Aproximación a su Historia* (Barcelona, 1990), 44–7 and doc. 26 for the chapter of 1327 and the

happen in Montesa; although papal help would be needed, for it was over twenty years since a general chapter had been convoked by the Master. For the pope to act, an inquest was required; hence Erill, de l'Orde and Nabas were ready to criticize the conduct of their Order, but only since Pere de Tous had become its Master.<sup>63</sup>

Yet the inquest was never used. The contrast between the terms of reference in the articles of inquest and the statements of the witnesses allows for only two alternative explanations. The first is that the depositions got out of hand, and instead of being a condemnation of the whole Order, they developed into a diatribe against the Master. As such the inquest became unusable. The bias would be made clear to the pope by the Master and the king would not get a papal fiat of closure. This would be all the more difficult since no witness claimed that the Master had alienated real estate belonging to the Order, only its moveables. The Prior had been told by Pere de Tous himself that his gifts to his kindred and friends had troubled his conscience. The Master had discussed the matter with the pope and the latter had asked him if he had alienated real estate or only *bona mobilia*. On being told that it was only the latter, the pope had forthwith given the Master absolution. Since the Prior said this had happened within the last ten years, it was probably Clement VI himself who had granted the pardon.<sup>64</sup> To concentrate too much on alien-

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deposition. The case against Jaume de Tarrega was very similar to the charges against Pere de Tous: dissipation of the Order's revenues, especially on purchases for his kinsmen and conduct unbecoming to a monk. Whereas Tous may have been faithful to one *barragana*, the mother of his children, Tarrega was accused of consorting with "infidels" and low company, in dubious venues. The major difference was that no mention was made of San Jorge's crusading purpose and that Tarraga, unlike Tous, was accused of usury. However, the order of San Jorge did not receive papal confirmation until 1373, see Villarroya, 2:56ff.

<sup>63</sup> Erill, f. 12v: *a tempore citra quo ipse est magister in nichil vel satis modico profecit dicto ordini attentis redditibus quos ipse Magister recepit et recipit de bonis dicti Ordinis*. De l'Orde, f. 15v: *dixit se ipso quod a tempore quo est Magister iste qui nunc est vidit quod bona dicti Ordinis non fuerunt per ipsum . . . utiliter et caute pro ordini procurata* and the Master's misuse of revenue was such that the Order *in nichilo vel satis modico fuit melioratus attente redditibus quos ipse a bonis dicti ordinis recepit et recipere consuevit*. The Prior of Montesa, Arnau de Selva, was more even-handed: he simply took a jaundiced view of the behaviour of all the the non-clerical brothers, especially the knights. Neither the abbot nor the lay witnesses were so explicit as the three knights in blaming everything on the Master. Nabas, could not of course compare Pere de Tous with a previous Master.

<sup>64</sup> Selva, f. 9: *audivit a dicto Magistro quod super hiis fuerat locutus domino pape explicando sibi qualiter multa bona dicti ordinis dedat ut predictum est et quod papa interrogaverat eum si dederat aliqua bona sedencia dicti ordinis et quod ipse responderat quod non, nisi mobilia et quod tunc papa responderat sibi quod illud sibi remittebat et indulgebat . . . Interrogatus a quo tempore audivit ea quod deponit dixit quod a X annis citra*.

ations and waste by the Master would be to place Clement in a very awkward position, quite apart from the pope's own reputation for extravagance and nepotism. Hence, the results of the inquest could not serve the king; and although Herédia was promised, on September 17, 1352, that as soon as it was completed, a copy would be sent to Avignon,<sup>65</sup> no official use was ever made of it. Instead a new bull was issued, deliberately describing the weakness of the Order in neutral terms which would not invite witnesses to exhibit their resentment of the Master.

The second, more convincing explanation is that the king and his advisers never intended the inquest to be "published," or even used in a secret trial at the Curia. Conesa and the sacristan did very little to alter the stress on the failings of the Master. On the contrary, when the Prior was asked why the Order was now incapable of holding the frontier, his reply happened to be phrased ambiguously: it was because of the reduced number of knights, due to the Black Death, and because of the diminution the Order's revenues. The commissioners, however, had no intention of allowing this ambiguity, of providing a text in which the Master might be given the benefit of the doubt. They promptly asked the Prior a supplementary question: When did the diminution of revenues begin? His reply was satisfactory; it had begun ten years before, hence well before the Black Death; and the fault was the Master's.<sup>66</sup> The government was therefore content to let the witnesses build up their case against the Master. For what the king wanted was a secret file on Tous, a character-assassination which would make him docile.

The Master could argue that he had been maligned or that he was the victim of bias but he would obviously prefer not to have his career and private life publicly debated. The inquest was intended from the start to serve as blackmail, to get the Master to agree quietly to the suppression of the Order; and even to put pressure on the

<sup>65</sup> ACA, Cancillería real, R. 1135, ff. 62v-63 (September 17, 1352): *e axi mateix co quens avets significat del fet de Muntesa. Mas quant es de la informacio la qual demanats reebuda per lo sacrista de Tarracona e per Jacme Conesa, sera acabada dins iv o v dies, et en continent laus manarem esser tramesa yvaçosament per correu.* Note the equal role the king gives Conesa.

<sup>66</sup> He was then asked, f. 11: *Interrogato a quo tempore citra fratres dicti Ordinis sunt in tantum pauco numero? Respondit a tempore mortalitatis citra. Interrogato a quo tempore citra bona dicti oridinis sunt devastata vel diminuta dixit quod audivit a .x. annis citra, dixit eo quare prout dicebatur Magister qui nunc est dedit fratribus nepotibus ac consanguineis et aliis prout supra deposuit plura bona dicti ordinis.* The interrogator's "QED" is almost audible.

pope to support this *modus operandi*. The papacy might prefer not to make public the contempt for the knights of the Montesa, as monks and as warriors, so evident in the testimony. The Curia would not welcome a public scandal, which could spin out of control once the Master of Montesa began to point out that all the mud slung at him was equally applicable to Herédia and that the reputation of the Order as a whole was no worse than that of the Hospital or, for that matter, of the papacy.<sup>67</sup> The inquest was therefore an important instrument of royal policy, but was never intended to provide that policy's legal justification.

For at the very time the inquest was taking place the king was engaged in "prolonged negotiations" with the Master. In September 1352 Peter told Herédia not to worry: "I think I can arrange matters so that the Master of Montesa will not put up a fight."<sup>68</sup> This has the authentic ring of blackmail; and it was obviously the testimony at the inquest which had softened up the Master sufficiently, to get him to negotiate a deal. The agreement which was finally signed on December 5, 1352 totally ignored the inquest and its findings. Indeed, it was written as if the inquest had never taken place. The Master probably had a shrewd idea of the king's real purpose: to "administer" a large part of Montesa's property, with the eventual transfer to the Hospital only a distant eventuality. But Tous did, momentarily, seem to have his back to the wall; his unpopularity in the Order, so evident in the inquest, could in the end bring about his deposition. Yet he bargained hard with the king and the terms of the agreement were in many ways a remarkable achievement.

Peter's pious concerns, which had informed both his appeal to the

<sup>67</sup> For the Hospital's general reputation see Glenisson, *Enquete*, the preface, esp. pp. 12–3. On July 15, 1353 the king legitimated the Castellan of Amposta's son (who had the same name as his father) *ex quadam muliere soluta*, ACA, Cancillería real, R. 896, f. 75. For the immoral reputation of the Hospital in Aragon and of Herédia personally, see Luttrell, "Hospitalier Life," 111, 114–5. In 1350 and 1351 the Aragonese Hospitaliers were involved in violent revolt against the Castellan, Luttrell, *Hospitaliers*, no. 19, pp. 511–2. For the reputation of the Avignon papacy and particularly of Clement VI, see Woods, 6–7, 204. Her denial of the truth of some of the charges does not affect the fact that the pope had a scandalous reputation, a fact which Pere de Tous could exploit.

<sup>68</sup> *Nos pensam que vendra a perfeccio quel maestre de Muntesia no do algun contrast o enbargament*. The secret agreement had been concluded before the king wrote to Clement asking him to give the Master formal licence to negotiate. Peter told the pope that, in view of the good reasons *qui per nos son demandades, entenem que ell consintra a la cosa sens clamor e contradiccio alcuna*, ACA, Cancillería real, R. 1141, f. 6rv (December 2, 1352). The agreement was signed three days later.

pope and the articles of inquest, had suddenly ceased to exist. The terms agreed on made a mockery of any hopes entertained by the witnesses that the Master would be deposed. The agreement saddled them with Pere de Tous as Master for life. The most extraordinary clause in an extraordinary agreement was this prize offered to the Master. Instead of being demoted or even disciplined, he was to command the obedience of all who chose to remain in the Order, until he died. The king agreed that the Master's present income (criminally inflated, according to the inquest) should not only be secured but actually increased by 3000 gold florins *per annum*. Ironically for Herédia, the Hospital was to guarantee payment, even though it might take years before any Montesan property was attached to the Castellany of Amposta. Nor was this all, the last surviving foothold of the Hospital in the kingdom of Valencia, apart from a house in the capital, was Torrent; yet according to the secret agreement it was to be given at once to the Master's brother, Fray Ambert de Tous, the Commander-Major; and Ambert like the Master was to hold his office, together with the commandery of Peñíscola, for life. Moreover Pere de Tous could treat all the moveables and livestock (*jocalia*) he acquired in future as his own and bequeath them freely on his death. Since, to make such purchases, he would be using money taken from the bailiwick of Cervera and the responsions of those commanders who chose to keep the habit, this was a warrant to impoverish, mortgage and disendow the Order. It was an astounding riposte to the complaints of waste against the Master in the inquest which had just been concluded. It also made possible the continued enrichment of the whole Tous clan at the expense of the Order, especially as Fray Ambert de Tous was to be given the same privilege.

The Master was not only to preserve or increase his present level of income, he was also to retain his power. All the knights who chose to keep the habit of Montesa were to owe him obedience for life; and he was to be subject to none but the pope and the king. As for the commanders in 1352, Javierre Mur was wrong in stating that Pere de Tous had insisted in the agreement that they keep their posts for life. The Master showed no such loyalty, except in the case of his own brother, Ambert de Tous, and the *Claver* Peralta; and in the latter's case, it was not explicit. What the agreement stipulated for the rest was that all those holding commanderies at the time of the Master's death, should then retain them for life. Thus the present

commanders were faced with two unpalatable options: one was to enter the Hospital as individuals, where they would be unfavourably placed in an alien pecking order; the other was to retain the Montesan habit, but be entirely dependent upon the good will of the Master, who could freely appoint and dismiss them, just as he had done in the past. It would be like playing musical chairs in the hope of being ensconced in a comfortable seat at the moment when the Master expired. True, the Master agreed not to take in any more recruits, but only from the moment that incorporation into the Hospital became a *fait accompli*. Besides, nothing was said of the fate of the commanderies if the commanders should choose to enter the Hospital. This cannot have been an oversight; nor can the failure to ban pluralities in the dwindling Order be accidental. Vagueness served the interests of both parties: if the Master did not appoint a replacement, the Crown would take custody of the vacated commandery. The hidden agenda was to divide the booty. The Order might become a rump, but the Master and the king would control its resources.

Assassination would not solve the problem of the Master's life-tenure. Even after his death the brethren would be denied the right to elect a successor; for the agreement stipulated that when Pere de Tous died, their obedience was to be transferred to his brother Fray Ambert, who, since he too could bequeath all the *joyas* and moveables acquired after the agreement, would be able to drain the assets, not only of the Commandery-Major, but eventually of the entire Order—those very assets which the king had been so eager to preserve and to convey to the Hospital. And when Ambert should die, then Fray Gonzalo de Peralta, the *Claver*, was to replace him as acting head of the Order. The only consolation would be that neither Ambert nor Peralta would be able to dismiss any of the commanders holding office at the time of the Master's demise. But the power of the Tous clan and its allies in the kingdom of Valencia would have been by then fully entrenched and protected. And Peralta, the outsider, was not given any testamentary rights over his acquisitions.<sup>69</sup> The interest

<sup>69</sup> For the whole agreement, ACA, Cancillería real, R. 557, ff. 229–232 (December 5, 1352); for the life tenure of the commanders only after the Master's death, *ibid.*, f. 230: *quod omnes et singuli dicti ordinis de Montesa preceptores post obitum tamen mei, remaneant comandatores quandiu vixerint eo modo quo eas tenuerint tempore mortis mee*. For the end to recruitment, *ita cum facta fuerit unio incorporationis et annexio supradicta extunc see* (f. 230v.) For testamentary rights, *de bonis omnibus quod inantea ex jocalibus et bonis meis mobilibus empcionem seu empciones facere me contingeret*, f. 230. For the meaning of *joyas*, according to a statute of the Hospital in 1311, see Luttrell, "Hospitalier Life," 109–10.

of the Tous clan is also underlined by the role of the Master's kinsmen, Bernat and Galcerán de Tous, as go-betweens in the secret agreement. The latter, moreover, received the king's solemn oath to abide by its terms. This was an ironic role since, according to the inquest, Galcerán had been a major beneficiary of the Master's criminal largesse at the expense of the Order.<sup>70</sup>

Even after Peralta's death, the Hospital would not necessarily get its hands on the property of Montesa; for the agreement of 1352 stipulated that if there still should be knights who preferred to keep the habit of Montesa, the king himself would then appoint from among them an acting head of the Order.<sup>71</sup> So much for Peter's concern for the efficient husbanding of Montesa's endowments by union with the Hospital. True, the king was aware of how difficult it would be to get papal agreement to the life tenure and total exemption of the Master, stipulating that his failure to do either should not convict him perjury. However, he solemnly swore to do his best "really and honestly" (*realiter et sine fraude*) to achieve this. There is no evidence that the Master ever agreed to accept the king's two reservations to his oath. Without life-tenure and exemption from Herédia's authority, then all Tous would get was honorary status as a retired Master and a fat pension; and all his brother Asbert could hope for was to receive the income of the Commandery-Major and Torrent at Herédia's pleasure. As the Master pointedly remarked, all that the king had "liberally" volunteered to do, prior to the formal agreement, was to see that neither the Master nor any knight of Montesa suffered derogation of "rank" and "status"—a very different matter from the Tous brothers retaining real power. The Master had, therefore—with equal point—gone on to state that his consent in principle to a merger depended on all his terms (*omnibus singulariter et distincte*) receiving papal ratification.<sup>72</sup>

<sup>70</sup> For Bernat and Galceran de Tous as go-betweens. ACA, Cancilleria real, R. 1142, f. 65 (November 14, 1352): The councillors en Guilabert de Centelles, en Bernat and en Galceran de Tous were sent to the Master to discuss *afers dels quals nos ja havem parlat ab vos*. Galceran de Tous received the king's solemn oath to observe all the clauses of the secret agreement (subject to two reservations discussed below), R. 557, f. 231. Bernat de Tous was the Master's choice in the delegation of three (including the Treasurer and Conesa) to the pope in 1356, f. 231v. See note 44 above for the problem of two officials called Bernat de Tous.

<sup>71</sup> ACA, Cancilleria real, R. 557, f. 231v: *fratres ipsi superviventes . . . dictis omnibus nobis tribus sub obediencia illius fratris ex ipsis remaneant quem Vos dictus dominus Rex seu vester successor duxeritis ordinandum*.

<sup>72</sup> ACA, Cancilleria real, R. 557, f. 229: *Cum vos mihi liberaliter offeratis quod quamdiu vixero gradus seu condicio status mei et fratrum omnium ceterorum qui hodie sunt in hordine (sic)*

A promise of "sincere effort" from Peter probably struck the Master as ominous. Since all that was indisputably shocking in the agreement stemmed from the Master's proposed life-tenure and exemption, the pope might not oppose the rest, especially if the evidence given at the inquest remained secret. And even if it did not, there would still be no insuperable obstacle to a merger which dismissed the Master with a golden handshake. This would obviously affect his ability to exploit the wealth of the Order and make all its commanders his creatures. In any case, the Master must have doubted whether the king was "really" willing to share the spoils of Montesa with him. Indeed, in addition to his insistence that all the terms of the agreement were interdependent, there are two indications in the text which suggest that Tous sought to prevent any alliance at his expense between the pope and king Peter. First, the Master never suggested that his decisions should be subject to the advice, much less the consent, of his brethren in chapter. However authoritarian his personal inclinations may have been, all the documents of Montesa dealing with important public acts comply with medieval corporation law and include the formulae of counsel and consent. The Master's decision to negotiate alone, subject only to written authorization from the pope, and to swear to the conditions for a merger, without mentioning the need for ratification by a chapter-general, rendered the agreement *ipso facto* illegal. Tous could not have been unaware of this. Second, he meekly accepted the pope's sovereign power *ex sibi* to abolish the Order by decree, which "it would be wrong for me to oppose."<sup>73</sup> Was this not a hint, carefully camouflaged, that just as royal duress had forced Clement V to deny the Templars' Grand-Master a fair trial, abolishing the Order by papal fiat, so Montesa, unfairly accused by a greedy prince, could be made to disappear by using the *plena potestas*? The Crown of Aragon's ability to threaten Avignon was very different from that of the kingdom of France. Yet Tous, by his apparently humble acceptance of papal sovereignty, would have revived memories of the Curia's unheroic stance in 1312.

The absence of the necessary formula of consultation and consent

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*supradicto illesus servabatur et utilitas assueta nullum perinde susciperet detrimentum.* For insistence on "each and all" the terms, f. 230v.

<sup>73</sup> ACA, Cancillería real, R. 557, f. 229: *Considerans etiam quod idem dominus papa ex sibi a domino tradita potestate potest procedere cum voluerit sic juste ac licite ad predicta quod vius processibus ordinacionibus et mandatis non convenit me opponere nec oportet.*



and the presence of an unnecessary reference to the pope's *plena potestas* were carefully planted mines, to be activated should the pope accept the Master's agreement in principle to the union, but refuse his conditions. If the Tous brothers' free access to the Order's assets were to be blocked, the Master could cause the whole project to self-destruct. There was even a sting in one of the most innocuous clauses of the agreement: the establishment of perpetual masses at Montesa. In order to ensure that divine office in praise of the Virgin continue at the convent for ever, thirteen "white monks" were eventually to replace the priests of Montesa now serving there. Quite apart from the insult to the clerical members of the Hospital, the Castellany of Amposta was thus saddled with a perpetual Cistercian enclave within the chief seat of its new province.<sup>74</sup> Neither Herédia nor Cîteaux (in the person of the abbot of Valldigna) would be happy with this arrangement. The secret agreement did not, therefore, "deliver the goods" in a way which would have gratified the Hospital. It is not surprising that by November 1352 the king was worried about malicious gossip in the Curia concerning his intentions towards Montesa or that very soon afterwards Herédia lost interest in the proposed merger.

The Master gave the king a year to get papal agreement to his terms; if the king should fail then the whole arrangement would be null. Even if Clement VI had not died immediately afterwards,<sup>75</sup> it

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<sup>74</sup> ACA, Cancillería real, R. 557, f. 230: a *monachus albus* was to replace each deceased Montesan priest until the convent had thirteen *monachos albos*. To add insult to injury, their maintenance, assigned on the farm of Montesa, was to be channelled through a "brother of that Order" chosen by the Master and the king, so that the thirteen would not receive the money *per manus maioris seu potentis personis quam fuerint ipsi presbiteri*. Moreover the chaplaincy endowed by the Master "for the remedy of his soul" in St. Mary's church at Cervera was to be in the gift of the elected prior of this Cistercian enclave. The Master had bought the oil presses known as Les Almaceres de Montesia to support this chaplaincy. He had also given a corrody of 200s.reg.a year to the convent, f. 230v. This characteristic combination of piety and personal laxity is beautifully illustrated in the Master of San Jorge de Alfama, Jaume de Tarrega. One reason given for his deposition was the 2000s he had given to the Franciscans and Austin Friars, for his burial in their precincts when dangerously ill (on two separate occasions), see Sainz, 46-7, 236 (doc. 26). These payments indicate at one and the same time his opinion of his own Order (a sort of Groucho Marx attitude to the club which had him as a member) and his genuine if prophylactic piety on the threshold of death. It at least indicated his belief in the two mendicant Orders' relatively high status in heaven. The political point of introducing the Cistercians under Herédia's nose does not preclude the possibility that Tous felt a similar ambivalence towards his own Order.

<sup>75</sup> For the condition of one year, see ACA, R. 557, f. 231. Clement VI died the

would have been necessary to give a reason for suppressing the Order, while so handsomely compensating the Master and his brother Ambert. Indeed, the agreement gave them the best of both worlds: retention of the status and power of their offices and, at the same time, exemption from at least one of the basic obligations of the monastic life. The necessary reason could not be based upon the bull of 1346 and the subsequent investigation; for the secret agreement would then have been even more scandalous than the findings of the inquest. In particular, the clause guaranteeing the Master tenure of office for life, even in a shrinking Order, would not have had a shred of justification. Thus it was necessary to "forget" the contents of the bull of 1346 and hush up the findings of the inquest. Both had served their purpose in persuading the Master "not to put up a fight." What was required now was a new bull of an entirely anodyne nature, ordering an investigation into the statement that the Order had always been too poor for its purpose and that therefore there were not enough members "to hold the frontier against Islam." In short, to contradict the king's earlier arguments. This turn-about was executed with surprising agility in Innocent VI's rescript of February 1, 1353.<sup>76</sup>

The negotiations with Pere de Tous were only momentarily interrupted by Clement VI's death. Innocent VI sent the required authorization to the Master on February 6, 1353. The licence was, however, conditional on the terms of agreement being *licita et honesta*. Whether the agreement could be so called was clearly a matter of opinion. Innocent had said in his bull and was to say again in 1356 that when he was still a cardinal, Clement had consulted with him on the king's proposals for a merger.<sup>77</sup> The *volte-face* represented by the bull of 1353 was not therefore an expression of a new policy in the

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day after the agreement was signed—on December 6, 1352. Innocent VI was elected on December 18.

<sup>76</sup> See note 3 above for the bull of February 1, 1353. For malicious gossip at the Curia see the letter sent by the king to his envoys, including Herédia, ACA, Cancillería real, R. 1141, f. 6v (December 2, 1352): as for the things said against us to the pope and cardinals by certain persons concerning Montesa, our deeds will excuse us and you well know how to plead for us! Of course "things" need not have meant his projected "confiscation," but merely his ingratitude to the Master.

<sup>77</sup> ACA, R. 557, f. 231v: *Discrezione tue tractandi super hiis cum dicto rege . . . quecumque videantur ad negocium pertinere dum tamen licita et honesta licentiam damus* (Avignon February 6, 1353). Both in this licence and in the bull of February 1, 1353 Innocent mentioned Clement's consultations with certain cardinals *de quorum numero tunc eramus*; he was to repeat this in the bull of May 1, 1356. Clement had been asked to give the Master formal licence to negotiate after the agreement had been concluded. On receipt of the licence, the agreement was to be presented as a concession by the Master, "because the pope wanted it," R. 1141, ff. 6rv (December 2, 1352), see also

Curia. It was the logical result of the king's blackmail and the Master's apparent surrender; and both popes were merely repeating texts provided by Peter. However, it is unlikely that the Master thought that the pope (or Herédia) would accept the terms of the secret agreement. But Pere de Tous was able to make very good use of it. It's most important practical advantage was that it annulled the findings of the inquest. For if the king could brandish his dossier at the Master to get him to sign the secret agreement, the Master could cite that same agreement, to show up the king for a canting and unprincipled schemer. They each had a handle on the other and the result was a stand-off. Nevertheless a copy of the inquest remained in the royal archives. The king was not the man to throw away such a tool, just because he had no immediate use for it. We must be grateful for this side to his character, since without it we would never have known of the inquest.

We do not know if the investigation ordered by Innocent VI in his bull of 1353 was ever begun. It is hard to imagine how any serious inquest could have proceeded on the assumption that Montesa was a mere "monastery." There would have been some difficulty in resummoning any of the witnesses who had given such damning evidence only a few months earlier; for this time they would have had to "forget" their earlier testimony and pretend that the poverty and paucity of the knights of Montesa had nothing to do with Master's behavior—or his personal wealth. The bull also stated that Montesa's initial poverty had not been remedied by later endowments. This was a remarkable argument, not because the absence of large endowments was characteristic of all the established Orders by 1353; but because a clause in the secret agreement facilitated a partial disendowment of Montesa by the Master. The bull of 1353 contained a further irony. It explained that the merger with the Hospital was a logical solution to the problem of Montesa's poverty and the requirements of crusade, because the Hospital was already "powerful" in the kingdom of Valencia. Not even the pope could have believed this, even if he were unaware of the fact that the Hospital's only holding in the kingdom, apart from its house in the capital, had just been allocated to Fray Ambert de Tous in the secret agreement.<sup>78</sup>

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note 68 above. The licence to the Master, like the rescript of February 1 to the bishop of Huesca, referred to the Order as a mere "monastery" of Calatrava.

<sup>78</sup> For the bull of 1353, see note 3 above: *etiam ex tunc Monasterium ipsum nullis aliis*

The pope was obviously not taken in by the king's apparent interest in enlarging the Hospital; nor could he have been unaware of the way in which the arguments presented in 1346 and 1353 were self-contradictory. But even if, in the hope of a grand alliance against the Turks, Innocent VI was prepared to cooperate with Peter, pretending at least to approve of the gist of the secret agreement, the opportunity to bring about any kind of merger was slipping away. For one thing, the new argument based solely on the size of the Order and its poverty, gave the Master the opportunity to attack the king's flank. Pere de Tous could say (and probably did): "Why start on me? Why not begin your drive for efficiency by suppressing the ridiculously small "Order" of San Jorge de Alfama? Or why not solve both our problems by uniting San Jorge to Montesa?" This tiny "Order" was also endowed in the kingdom of Valencia and vowed to the crusade against Islam. Peter had not even bothered to ask it to hold the frontier when the other military Orders had been ordered to mobilize in 1339 and 1342. In 1352 it may have had no more than five members, not all of them knights. It would have been an obvious move to mention this pocket military Order, precisely because, as the Master knew, it was an object of indifference to a cash-hungry Crown.<sup>79</sup>

Even if the Master refrained from making the comparison with

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*bonis seu redditibus fuerat ampliatus. On the other hand huiusmodi defensio (of Valencia) fratres Hospitalis, qui tam in premissis (regno) Valentie quam aliis regnis et dominiis dicti regis potentes existunt, potuissent et posset melius exerceri.* In the licence to negotiate with the king, sent by Innocent VI on February 6, 1353, this was abbreviated to: *quod in illis partibus valde potens existet*, R. 557, f. 231.

<sup>79</sup> For only five named members, see Sainz, doc. 46. It is possible that until 1373 none of the lay members were belted knights, not even the Commander-Major (entitled Master after 1355), 10-2, 18-9. The Order was however a militia from its foundation in 1201 and its head, Ombert de Cestorts, had personally served on the frontier in 1341. He had returned to Alfama by January 18, 1342 and had been confronted by armed rebellion and a demand for his resignation. Peter had no qualms in supporting him, then and in 1345. Yet Cestorts, having reduced the order to "penury" was eventually, in 1365, forced to abdicate his office, see pp. 5, 9, 55-7, 64-5. Thus Pere de Tous could have used San Jorge to illustrate the insincerity of the king's arguments in 1346 and 1352, as well as in 1353, when the only apparent issues had dwindled to Montesa's poverty and size. The fact that San Jorge did not receive formal apostolic approval until 1373, may have held Pere de Tous' hand: the pope might not be impressed by arguments referring to an Order which, precisely because of its poverty and smallness, had no "official" existence; see doc. 80 (1373), p. 311. However, if Lope de Luna had testified to the new charges in 1353, he would have had to pretend that he disapproved of small, poor Orders, although only five years later, he made a will which favoured San Jorge de Alfama should his

San Jorge, he was able to orchestrate a brilliant counterattack. The Abbot of Valdigna, not to mention the Order of Cîteaux had no interest in seeing a Cistercian affiliate disappear into the maw of the Hospital. The Order of Calatrava would also have been alerted and could scarcely fail to regard the loss of Montesa as a blow to its own prestige. It is therefore no accident that by November 1353, twenty-two years after the previous visitation, Bernat, the abbot of Valldigna (witness no. 5 at the secret inquest), and the Master of Calatrava had decided to conduct another formal visitation of the Order of Montesa. The *definitiones* produced as a result have been published. No one would guess, on reading them, that the Master and, to a lesser extent, the other Commanders, had very recently been the objects of vilification in sworn depositions. Curiously, the definitions of 1353 spent most time criticizing the observance of divine office in the convent; yet this was the one point on which the Order had been congratulated by a lay witness at the inquest. True, a clause in the definitions indicated that the making of wills had become a common practice; but nothing was said about concubines or illegitimate children. Yet the *definitiones* of the Order of Calatrava had forbidden "suspect" women to spend the night in the castle of Alcañiz in 1336.<sup>80</sup>

The poverty of the commanders so enlarged upon in 1352 makes a very oblique appearance: a low ceiling was placed on the amounts they could borrow. But a failure to repay on time was sanctioned by heavy fines payable to the Master. He was certainly not held responsible for their need to raise loans. The feud with Dalmau de Cruïlles which had cost the Order so much money went unmentioned. The only quarrel within the Order referred to was a "recent" armed fight in the dormitory. Nothing was said about the Master having alienated the Order's revenues or wasted its resources; or of the alleged transfer of the Treasury to a Catalan castle. Above all, there is nothing in the definitions to suggest that the Order was unready to do its

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eldest daughter die without issue, see *Linajes de Aragon*, 2 (1911): 65. It is a moot point whether the description of Montesa as a single monastery in the bull of 1353 was as much the Master's idea as the king's. It could make the secret agreement seem less scandalous; and the proposed merger seem less radical.

<sup>80</sup> O'Callaghan, "Definiciones," cl. 41, p. 279. Juan Nuñez de Prado, the Master of Calatrava who conducted the visitation of Montesa left two illegitimate sons on his death in 1355, see idem, "The affiliation of the Order of Calatrava with the Order of Cîteaux," in *Calatrava*, study I, p. 25, note 3.

duty in "defending the frontier." There is no mention of insufficient horses and arms. The definitions do not even say that a decline in numbers, as a result of the plague, had affected the present usefulness of the Order. The only manpower problem to get a mention was a shortage of priests for divine service. The Order was not even said to be poor because many of their tenants had died from the Black Death. Thus, the arguments of Innocent VI's bull of February 1353 were implicitly contradicted, and the grave findings of the inquest of 1352 were swept under the carpet.<sup>81</sup>

A visitation which found nothing very remarkable amiss, especially when compared to earlier visitations or to the plain speaking on misappropriation and rebellion, in the almost contemporary definitions of Calatrava,<sup>82</sup> was tantamount to giving Montesa a clean bill of health. Once the definitions had been published, any inquest based on the bull of February 1353 would have had to be suspended, if it had ever begun. Thus Pere de Tous, aided by the Master of Calatrava (whose career made it difficult for him to admonish anyone) and the abbot of Valldigna, not to mention the members of the Order who had criticized the Master bitterly but now held their peace, had successfully parried the king's attack. Peter would have to suspend his designs on the Order's wealth at least for a while. It is therefore not as startling as it might seem after reading the inquest that the king considered the Master suitable to be one of four proctors especially appointed to supervise the royal domain during his absence in Sardinia in 1354. The man who had been accused of embezzling his Order's income was now authorized to mortgage and sell Crown property to finance the Sardinian campaign.<sup>83</sup>

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<sup>81</sup> For loans up to 2000s, see O'Callaghan "Definiciones" (note 16 above), p. 241, cl. 19. For arms in the dormitory, see cl. 12 p. 240.

<sup>82</sup> For rebellion against the Master (1304: cl. 10, 11; 1325: cl. 16; 1336, cl. 38); oppression of the rank and file by commanders and alienation even of real estate as well as moveables (1325: cl. 6, 9, 10, 18, 19; 1336: cl. 20, 24); for bad provisioning of the rank and file by the Master and Clavero (1307: cl. 3), O'Callaghan. "Definiciones," 264, 266, 268, 270–72. Although the abbot of Valldigna had been the mildest of the Master's critics at the inquest, he had nevertheless testified that Pere de Tous had given 10,000s to his nephew within the very recent past: he also had said frontier service was still possible only because the Master was said to be rich. To describe a monk as personally rich surely implied a grave transgression against the vow of poverty. All the more so since the case of Fray Roderigo Díaz against the Master, for "oppressing him with poverty" had only recently been referred by the pope to the archbishop of Zaragoza.

<sup>83</sup> See Pere III, *Chronicle*, chap. V, 35.

Since the bull of 1353 was not secret, news of the suggested union with the Hospital would have reached all the members of the Order very soon after the bull arrived in Aragon. Indeed the king must have realised that once the idea had become public, his plans would suffer a set-back. Hence, when Peter sent the Master his copy of the bull in March 1353, and spoke optimistically of a happy conclusion to the secret negotiations they had both been engaged on, it sounded already then, before the visitation, as if he were whistling in the dark. The only alternative is that he was deluding himself.<sup>84</sup>

Pere de Tous did not rely only on the visitation. In December 1355, when its memory was no longer fresh, he convoked a general chapter of the Order for the first time in 25 years. The list of attendance shows that he been busy before the assembly took place. It includes all the Montesan witnesses of 1352, except the prior who appears to have died in the interval. Bernat de Nabas and Galcerán de l'Orde, both veterans without office in 1352 and obviously disgruntled, now held posts of some importance. Nabas had been made sub-commander of Montesa, thus acting as a deputy to the Commander-Major, Fray Ambert de Tous, and perhaps to the Master himself. Galcerán de l'Orde, so hostile to the Master in 1352, had been made sub-*Claver*, a post of obvious financial significance. Only Fray Berenguer de Erill was still without office in 1355, but by then he was well over 60 and he is listed in a place of honor, immediately after the Master and the Commander-Major. His status was clearly akin to that of an *anciano* in the Order of Calatrava. One further change is noteworthy, Gonzalo Martinez de Peralta, was no longer *Claver*, an office now held by Bernat de Ribes. Peralta is listed as Commander of les Coves, a painful demotion to a commandery he had held in the past. It was to be expected that the Master's enemies would want to see a major change at cabinet-level as a result of the reshuffle. Pere de Tous therefore had sacrificed not his brother Ambert but his ally Fray Gonzalo, the third and last of the troika named in the secret agreement of 1352.<sup>85</sup> Pere de Tous had provided "jobs for the boys" to buy off the opposition. It was a prudent move, but perhaps not absolutely necessary. For once the Master's

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<sup>84</sup> ACA, Cancillería real, R. 1141, ff. 7v-8 (March 20, 1353): they were to tell the Master that "the negotiations were well advanced."

<sup>85</sup> See Javierre Mur "Pedro IV", appendix, p. 214. On the role of *ancianos* in Calatrava, see O'Callaghan, "Definiciones," cl. 34 (1336), p. 278. Peralta was still *Claver* on November 18, 1353, R. 896, f. 153v.

critics within the Order found out that they were not going to get him deposed and that the options were incorporation into the Hospital or the withering away of Montesa under the dictatorial control of the Master and his brother, they would obviously fight for the status quo. Whatever they thought of Tous, the brethren would rally round him to prevent what they described in the chapter of 1355 as the *nullitat e destrucció* of their Order.

The determination of all the brethren of Montesa to preserve the identity and independence of their Order is remarkably similar to the behavior pattern of the members of the University of Oriola in the seventeenth and eighteenth centuries, which has been analysed in a recent book. Like the University, the Order was small, provincial and undistinguished; but it was important to the local elites as a power base and a source of prestige.<sup>86</sup> They fought among themselves to control it. If these quarrels, like the feud between the Tous and the Cruilles factions, became too violent, they attracted the attention of the government. But then they would temporarily bury their differences in order to ward off outside intervention. So in the case of Montesa, the threat of a takeover by a larger non-Valencian institution, inevitably rallied the disaffected brethren, and their kinsmen, to the Master whom they detested. There were perhaps a few young members of the Order of Montesa who might have welcomed the wider horizons and greater career opportunities of an international Order, but the average member of a provincial institution usually reacts to such a challenge by feeling threatened. Moreover, the bull of 1353, perhaps deliberately, used an almost brutal rhetoric: it spoke bluntly of the "monastery" of Montesa being "governed" by the Hospitallers.<sup>87</sup> It was as if an international corporation were threatening not only to take over a small company, but to declare the entire local management redundant. True, forty years was not all that long for an *esprit de corps* to develop, but loyalty to an institution—or its absence—was unimportant when compared with the threat to local interests; and the Master's worst enemies, Erill and de l'Orde, had spent a lifetime in the new Order. Besides, even if the bull had been phrased more diplomatically, it would have been folly

<sup>86</sup> C. Mas Galvan, review of *La Universidad de Orihuela, 1610–1807. Un centro de estudios superiores entre el Barroco y la Ilustración*, by M. Martínez Gómis *Afers* 7 (1988–9): 288–96.

<sup>87</sup> See above note 3: Montesa was so weak *ita quod de cetero per fratres dicti Hospitalis impetuum regi deberet ac etiam gubernari*.



to replace the Tous affinity in Valencia with Herédias, who were outsiders identified with Aragon.

The dramatic oath in chapter on the December 27 completed the work begun with the visitation. The chapter had taken place not long after the Master had sent two of the knights of Montesa in disguise to the Curia. The king had found this out by December 5 and sent Pere de Tous a curious letter. It began by reminding the Master that the negotiations on the union of Montesa and the Hospital were well advanced *e açò ab grans avantatges vestres*. Peter then declared that he had never acted without the Master's "knowledge and consent." But now "two brothers of your Order have been seen travelling in disguise." The king's real concern then became apparent: "They were disguised in a manner that ill befits honest men and we therefore suspect, since they were riding in that direction, that they are going to Avignon in order to upset the arrangements to which you are committed by oath." The worried tone of this suggests that it was not the Master but the king who felt that the initiative was slipping from him.<sup>88</sup> The presence of the disguised knights at Avignon probably indicates papal pre-knowledge and approval of the dramatic scenario acted out in the chapter three weeks later. It is, in any case, fairly clear that the proceedings had been orchestrated; and they were far less spontaneous than is permitted to appear in the record. The cloak-and-dagger mission to Avignon may also have had something to do with the next stage in the story. By the April 18, 1356, the king, who was bound to have heard by then of the mutual oath made by the brethren in the chapter, seems to have decided to try to get the Master to renege, by forcing him to confirm the terms of their old secret agreement. On that day Pere de Tous renewed his oath to the king and agreed to the despatch of Bernat de Tous, who was probably his brother, together with the king's secretary Conesa and the Treasurer, Ulzinelles, to get the pope's ratification of the old terms of 1352. It was ironic that Jaume Conesa should be chosen by the king for this mission. The man who in 1352 had written down sworn testimony casting the gravest aspersions on the Master's character and conduct, was now himself sworn to do everything in his power to get Pere de Tous a life-tenure.<sup>89</sup>

<sup>88</sup> ACA, Cancillería real, R. 1293, ff. 29v-30 (December 1355).

<sup>89</sup> Conesa's talents as a tool of royal policy were already demonstrated in 1352 when he recorded without comment or supplementary question the testimony on

But the most remarkable aspect of the updated agreement in 1356 was the Master's apparent perfidy: for he thereby broke the solemn oath he had recently taken in chapter.

What were the two sparring-partners up to? It is not easy to answer this. The terms of 1352 were ratified not once, but twice in 1356. The first version was approved by both the Master and the king in the Hospitaller township of Ulldecona on the April 18. But there is an anomaly about this document. In it the clauses of the 1352 agreement were copied out verbatim, including the reversionary rights of Peralta. Yet in 1356 Peralta was no longer *Claver*. The second version was signed by the king alone in Perpignan on June 7, 1356, in the absence of the Master. This version represents the old terms of 1352 as "newly made," and the Master was told to send these and not the *capitula antiqua* to the pope. The only material change in June was technical: Ribes's name was substituted for Peralta's. But the main reason for calling these terms novel was because they referred to the 1352 clauses as agreed drafts, not formally sworn to by the Master. To do otherwise, said the king, would be contrary to Innocent's instructions to Pere de Tous in 1353 to keep the Curia fully informed of the content of all talks and to sign nothing without papal authorization. Hence the "new" terms were shorn of the codicils, which had cleared the king—and Conesa—of perjury should they fail to get the Master life-tenure and exemption. A mere draft required no such formal reservations.<sup>90</sup>

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the oppression of the Order's tenants. Yet he had himself had drawn up the documents imposing the heavy fines for their participation in the Union, see Díaz Manteca, doc. 28, p. 133.

<sup>90</sup> The exact wording of the 1352 agreement has survived in the reaffirmation signed on April 18, 1356, which also includes a transcript of Innocent's licence to the Master to negotiate "licit and honest" terms: *volumus tamen quod omnia et singula quod inter te et ipsos (the king and others) super hiis tractata fuerint, nobis et Sedi predicta tuis litteris studeas quam totius fideliter intimari. Et quod ad ea firmandum nullatenus procedas nisi hoc prius a dicta Sede mandatum reciperes specialem*. In swearing to carry out his mission to the pope, Conesa repeated on his own behalf at Ulldecona the reservations made by the king in 1352. But like the king then, Conesa also swore to make every effort to get papal confirmation of life-tenure and exemption for the Master. For the Perpignan version see, ACA, Cancilleria real, R. 557, ff. 232v–234v. The legal argument was clear: if *illa (capitula antiqua) per vos (Magister) mitterentur sub ea forma qua erant dicto domino pape, essent recte contraria rescripto apostolico memorato*. Yet, without actually quoting them, the king made it clear that the old reservations were still valid: *pretextu revocationis ipsorum capitulorum aliqua mutatio, novatio, preiudicium vel derogatio minime fiat condicionibus in eisdem contentis et dictas condiciones et provisiones per nos tunc factas necnon iuramentum et homagium per nos prestitum Galcerando de Tous militi de tenendo . . . contenta in dictis antiqui capitulis remaneant in suis robore*.

The Perpignan document was also shorn of the Master's far too frank remarks in 1352, on the king's personal ill-will towards him, which had prefaced his agreement in principle to a merger. If the official line was now not the improper behavior of the brethren, but objective circumstances, any reference to personalities would obviously undermine the new thesis; and yet the Master's deliberately indiscreet remarks had been copied into the Ulledecona document.<sup>91</sup> *Prima facie*, it was eminently reasonable to recast the 1352 agreement, in order to take account of the replacement of Peralta by Ribes and to hide the fact that the "old articles" been drawn up before the Master had received the papal licence; and that the terms of that licence had not thereafter been strictly observed. But why was this done only in Perpignan in June and not at Ulledecona in April? Both Bernat de Tous and Ulzinelles were given letters of credence to two Cardinals at Avignon on May 22, 1356,<sup>92</sup> Did they race to the Curia, discover that the Ulledecona document was unacceptable and then rush back to the king to prepare the "novel articles?" Conesa certainly drew them up for Peter in Perpignan. But even had he been able to be received at Avignon and get back within a fortnight, the king's advisors did not need the Curia to tell them that the Ulledecona version of the 1352 agreement was full of legal pitfalls. The Perpignan version, however, had one major lacuna: the Master of Montesa had not signed it. And as the king himself admitted—the Ulledecona version of April was invalid, because in it the Master had been acting *ultra vires*.

Tous may not have bothered to update the Peralta clause in April because he was fully aware of the nullity of the document he was signing; and the king may not have insisted, because he never intended to get the pope to agree to the Master's, much less the entire troika's, authority after Montesa's "incorporation" into the Hospital. But in this fencing-match Peter was unable to win. The "new articles" drawn up at Perpignan in June represented a last-ditch (and useless) attempt by the king to save his plans from collapse. There

<sup>91</sup> ACA, Cancellaría real, R. 557, f. 229: *mihi fratri Petro de Tous magistro militie Beate Marie de Muntesia semel et plures reculistis affectatis*. It is worth noting that Tous admitted no other reason for the king's plan of merging Montesa with the Hospital than Peter's personal ill feeling towards him.

<sup>92</sup> See *Carte Reali Diplomatiche di Pietro IV il Cerimonioso, Re d'Aragona, Riguardanti l'Italia*, Archivo de la Corona de Aragón, Colección de Documentos Inéditos, 2ª epoca, ed. L. D'Arienzo (Padua, 1971), p. 315, docs. 626, 627.

was no point in Conesa going to the Curia on May 22, 1356 with the Ulledecona document, because Innocent VI had issued a new bull on the Order of Montesa on May 1, 1356—ample time for it to have reached the king before the 22nd. The letters given the envoys on that day were just as likely to refer to the new bull as to the old agreement; and the two documents were mutually incompatible.

The new bull represented yet another *volte-face*: the pope had come full circle and returned to the original accusation of waste. Indeed it was more extreme than in the bull of 1346. Clement VI had implied throughout that all the “*presidentes*” of the Order were to blame. The new bull singled out the Master. Moreover, it stated that the charge was no longer an allegation, but a proven truth. Thus three years after he had issued a bull which pointedly ignored the accusations against the Master and spoke only of the Order’s generic poverty and lack of members, Innocent VI suddenly “remembered” the earlier charges and for the first time openly referred to the inquest ordered by his predecessor; indeed, that inquest was now said to have established the Master’s guilt. Nor was this all: Innocent stated that Clement had refrained from acting on the evidence, in the hope that the Master would mend his ways; instead Pere de Tous had gone from bad to worse. There was not even a hint of the secret agreement, the general terms of which must have been known by then at the Curia.<sup>93</sup>

There was less in the pope’s sudden change of tack than meets the eye. The new bull’s real purpose was to put an end to the pressure on the Order, without openly antagonising the king. For the

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<sup>93</sup> *Bulas y Cartas Secretas de Innocencio VI (1352–1362)*, ed. J. Zunzunegui Aramburu, Monumenta Hispaniae Vaticana, Sección Registros, 3 (Rome, 1970), no. 226, pp. 225–6: *Dudum ad audentiam . . . Clementis pape VI . . . perducto quod Petrus de Thous, magister domus de Montesia, ordinis Calatravensis . . . in regimine dicte domus se negligenter habuerat . . . et quod bona illius, presertim immobilia, alienaverat et alienabat ac consumpserat . . . in usos indebitos et quod ipse ac fratres dicte domus . . . se illicitis et inhonestis negociis et iurgis implicaverant . . . ipse predecessor ordered the bishop of Tarazona to investigate and report. Ac idem episcopus . . . retulit dicto predecessori ea que sibi fuerant exposita invenisse . . . esse vera. Et quamvis idem predecessor, expectans dicti magistri emendationem in melius, contra eum super premissis procedere distulisset tamen magister ipse not only failed to reform his ways but peiora prioribus adicere non pavescit. Therefore the Officials of Tarragona, Valencia and Tortosa were to issue a summons to the Master to present himself within a stated time conspectui apostolico personaliter. The pope combined the accusations of 1346 with the description of Montesa as a mere domus taken from the bull of 1353. The insistence on the alienation of real estate, given the testimony at the inquest, seems to be a deliberate misrepresentation for tactical purposes. It might impress the king, but it would aid the Master to get the charges dismissed by the papal tribunal.*

pope now summoned the Master to the Curia to answer for his maladministration of the Order's goods. This meant that the Master's version of events would be heard, far from any arm-twisting by the king. The insistence in the new bull on the alienation of real estate, in view of the evidence at the inquest, seems a deliberate misrepresentation for tactical purposes. It might impress the king, but it would aid the Master to undermine all the testimony against him. Pere de Tous could point out to the pope that there were other forms of bias in the inquest, in addition to its tendentious omissions. The deposition of the Justiciar of Aragon was not that of a neutral observer. Juan López de Sesse, had only recently been appointed to the Justiciarship. Before that he had been described as "a knight of the count of Luna;" and the count had a grudge against the Master, which Sesse himself had incautiously revealed: Pere de Tous, the Justiciar said, had supported Pedro de Xèrica in a "war" between the latter and the count of Luna.<sup>94</sup> Luna himself had been more discreet. He had allowed his bias to show only in the way he referred to Montesa's long litigation with the bishop of Segorbe, over the tithes of Ademuz and Castrofabib. His wording implied that it was no different in character from the Master's "unjust" persecution of Dalmau de Cruïlles.<sup>95</sup>

But Pere de Tous had stronger arguments than these: he could point out to the pope that to accuse him of gross maladministration on the basis of "proof" provided by the inquest of 1352, would be to condemn the Visitors of the Order in 1353 of misrepresentation and dereliction of duty. The then Master of Calatrava had, admittedly, been deposed and assassinated in 1354, but neither his successor nor the abbot of Valldigna would have accepted the aspersion lightly. Pere de Tous could also remind Innocent VI that he had

<sup>94</sup> Sesse (Sesa), f. 42: *Scit etiam* (as well as the feud with Dalmau de Cruïlles) *quod dictus Magister . . . Jovit partem Nobilis Petri de Xerica contra Comitem de Luna*. In 1342 the men of Xèrica and Segorbe had come to blows "in contempt of the king's majesty" and his express order, ACA, Cancilleria real, R. 621, f. 79r-v. Both the justiciar and the bailiff of Segorbe were listed among Dalmau de Cruïlles' supporters and banned from the capital in 1344, see note 18 above. Luna held Segorbe as an hereditary fief from the Crown. Thus, at least indirectly, he was a party to the feud between Cruïlles and Tous. For Sesse's connection with Luna, see Zurita, lib. viii, c. 15. Luna and his allies appointed him to negotiate their adherence to the royalist party in 1347. Described as *cavallero del dito Noble*, ACA, Cancilleria real, R. 1128, f. 144 (December 4, 1347); see also Moxó, doc. 292, p. 203.

<sup>95</sup> Luna, f. 45: *Magister qui nunc est (erat) in magna brica* (with the bishop of Segorbe) *et venit ad arma cum fratre Dalmacio de Crudiliis*.

been given papal absolution for his gifts to his kindred. Finally, there was one omission in the testimony which was directly related to management of resources. Nothing positive had been said at the inquest about the Master's investments and building program. The latter was mentioned indirectly only when the Prior complained that the cost of the feud with Dalmau had caused work on the castle of Montesa to be suspended "for a long time." No one pointed out that Pere de Tous was responsible for building the convent, in which Mass had been celebrated for the first time in 1340, or for any other investments. But both the secret agreement of 1352 and the definitions of 1353 had mentioned benefices endowed by the Master.<sup>96</sup>

Once the Master was allowed to speak freely before the tribunal, Peter's deceit (and his ingratitude towards the man who had loyally served him in the Union) would become the common gossip of the Curia. The king's behavior would have surprised nobody, but he would lose face if it were publicly discussed, especially as he would not in the end achieve his objective. Not surprisingly, nothing further was heard of the prospective "trial" of the Master at Avignon—or of Peter's half-hearted attempt to salvage the secret agreement in June 1356. The bull issued a month earlier had been an elegant means of burying the whole matter. The outbreak of war with Castile in 1356 was therefore not the only reason for Peter's decision to abandon his campaign to suppress Montesa.

All the actors in this plot, including the pope, displayed a talent for guile and conveniently selective memories. It is not this fact which is unusual, but the remarkable way it is documented. The testimony at the inquest of 1352, the definitions of 1353 and the bull of May 1, 1356, which so tardily found the charges in the inquest "to be true," offer an interesting object lesson. Historians have long been aware that visitation-records can mislead, overemphasising abuses, by remaining silent on what needed no criticism. But the evidence from Montesa shows clearly that such documents can also mislead in the opposite direction, by serving as whitewash. The zigzags in the

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<sup>96</sup> Selva, f. 10: the feud with Dalmau was damaging *specialiter quare opus quod fiebat in castro de Muntesia cessavit illo tempore et postea etiam per multum temporem et dicebatur propter illud litigiu dictus magister nolebat in (dicto) castro aliquid operari*; on payments to the operarius in 1348, see note 22 above. On the completion of the church see Samper, 2:428; Although the tenants of Montesa had to finance the Master's purchase of royal rights of jurisdiction in 1343, this too was a profitable investment for the Order, see note 44 above; for the benefices, see above note 74.

king's arguments justifying the merger after 1346 and its final abandonment ten years later, show the king at his most characteristic. In the end he had painted himself into a corner. It is perhaps no coincidence that when, at the end of his reign, he sought to gain control of the Mercedarians, he seems to have learned his lesson; for it has been shown that he was then less devious and more successful.<sup>97</sup> But the dramatically different strategy employed by the king against Montesa may also have been dictated by the fact that the Tous clan, led by the Master and his brother Fray Ambert, had become too powerful in Valencia to be easily manipulated. The Master, of course, gained most by the outcome. If anything, the threat of incorporation into the Hospital, however insincerely intended by Peter, had strengthened the Master's position within the Order of Montesa by frightening even his worst critics into silence.

Each of the two protagonists in this struggle must have developed a healthy respect for the other's cunning, as well as a mutual distrust which stayed with them for the next twenty years. Pere de Tous finally died in 1374, after forty-seven undistinguished years as Master of Montesa. But it is not surprizing that the king omitted any allusion to the struggle in his self-serving *Chronicle*; for of the two, only the Master had reason to recall that battle with any satisfaction. Peter's silence in the *Chronicle* was extended to the events surrounding the election of Pere de Tous' successor. Given the Master's longevity, we must assume that by 1374, the Order had become almost entirely his creature. Therefore, there was no problem for Fr. Ambert de Tous to succeed his brother as Master, even though the king tried to prevent it. Peter spoiled his chance of blocking the continued control of the Order by the Tous family, by attempting to impose a layman as Master. This was not inappropriate, given the general level of monastic observance in all the military orders in Spain, but it invited papal intervention, which was prompt.<sup>98</sup> It was

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<sup>97</sup> For the Mercedarians, see J. W. Brodman, "Ransomers or Royal Agents: The Mercedarians and the Aragonese Crown in the Fourteenth Century", in this volume. The evidence given there of Peter's indifference to monastic misbehaviour, so long as he controlled the Mercedarian Order, confirms my interpretation of the inquest on Montesa in 1352; and Peter's hostility to the idea of merging the Mercedarians with the Trinitarians in the 1350's confirms my suggestion that he never really intended to merge Montesa with the Hospital.

<sup>98</sup> For Peter's attempt to appoint a layman in 1374, see *Documenta Selecta*, doc. 654, p. 501. Clement VI had authorised the appointment of a child (one of Alfonso XI's bastard sons) to the mastership of Santiago, but there had at least been the

certainly a provocative act for a king who had been so ready, nearly thirty years earlier, to express concern over the non-observance of the Rule of Montesa.

The conclusion to be drawn from the story of the failed merger is not a simple one. The king was a deeply pious man, according to his lights. But so was Philip the Fair; and the deliberate use of religious rhetoric for ulterior political purposes is not a practice exclusive to atheists. To feign an interest in the crusade for fiscal advantage had become almost normal by 1346. It was, as yet, less common for politicians to employ the rhetoric of monastic observance for financial gain. Peter had only one precedent to inspire him, that set by the king of France at the beginning of the century.

The king of Aragon was unable to go as far as Philip IV did in attacking the Templars; his plan had to be less bold and more vulnerable to complications. From this weakness flowed the devious changes of policy, the shameless shifting of grounds, the half-truths and disinformation purveyed by the government, the king's conspiracy with the Master (at the expense of the Order) and the final cover-up. As a result, the inquest and its findings disappeared from the history of the Order. This hushing up of sworn testimony on monastic corruption, was done with the full connivance of the Curia. Thus "the Montesa affair" has a dual significance: it not only illustrates the gap between rhetoric and reality in the "Crusader kingdom of Valencia"; it also exemplifies, to perfection, the political uses of piety in the fourteenth century.

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formality of a religious profession, which the nine-year-old boy was to confirm on his fourteenth birthday, see J. Zunzunegui Aramburu, "El Infante don Fadrique Maestre de la Orden de Santiago 1342-1358" *Anthologia Annu* 11 (1963): 47-54. In 1352 Peter had promised Tous that if the pope or the Hospital refused to accept the terms of their agreement (over and above the Master's life-tenure and exemption), then the king would retain the status-quo in the Order during the Master's life-time: *non tractabimus, consentiremus nec opera dabimus quod in dicta domo de Montesia aliquid immutetur de tota vita vestri dicti Magistri*, ACA, Cancillería real, R. 557, f. 231. Thus Peter was not prepared to give up his plans, but only to postpone them.



Table 1: *Hearths under Montesa's Lordship*<sup>1</sup>

<i>PLACE</i>	<i>1320</i>	<i>1363</i>	<i>1373</i>	<i>LATER</i>
Montroi	31	20	22	—
Montesa	200	147	170	—
Perputxent	90	78	33	—
Montcada	150 <sup>2</sup>	97	237	—
Borbotó	—	31	—	—
Sueca	400	319	—	—
Silla	200	136	97	—
Onda	780	601	633	—
Alq. Borriana	39	—	—	—
Vilafamés	160	88	200	—
Coves	250	216	—	—
Albocàsser	300	182	—	—
Salsadella	190	121	—	—
Vilanova	90	104	—	—
Tirig	50	54	—	—
Serratella	20	11	—	—
Ares	250	183	—	—
Culla	80	121 <sup>3</sup>	—	—
Molinell	25	—	—	—
Benassal	400	234	—	—
Vistabella	300	91	—	56[1385]
Benafigos	35	30	—	—
Atzeneta	180	153	—	—
Torre Besora	—	36	—	25[1399]
Boi <sup>4</sup>	20	17	—	—
Vilar de Canes	—	21	—	—

<sup>1</sup> Figures for 1363, from AHN, Ordenes Militares, Archivo del Consejo de Ordenes, leg. 6489. All other figures are from Guinot, table 41, p. 439. Cf. 290–2 for his assessment, based on the 1373 figures alone, of the demographic effects of the Black Death.

<sup>2</sup> Borboto was part of the bailiwick of Moncada, alienated in 1319–1358. The 150 households listed for 1320 were for the whole bailiwick. Moncada itself had 80, see Codices, 871 C, p. 16.

<sup>3</sup> Culla and el Molinell are lumped together in 1363.

<sup>4</sup> El Boi (part of the bailiwick of Culla) was omitted from Guinot's list, see AHN Codices 871 C, p. 50.

*(Table 1 continued)*

PLACE	1320	1363	1373	LATER
Alcalà	200	270 <sup>5</sup>	420	—
Xivert	75	—	—	—
Castellnou	18	—	—	—
Polpís	30	—	—	—
Alcosebre	1	26	—	—
Penyíscola	250	145	—	—
Benicarló	200	175	—	—
Vinaròs	90	77	—	—
Cervera <sup>6</sup>	250	160	303	—
San Mateu	900	746	951	—
Xert	159	120	151	—
Rossell	50	47	69	—
Canet	140	134	173	—
Jana	86	98	128	—
Traiguera	300	—	343	—
Càlig	120	127	198	—
Lo Pug <sup>7</sup>	—	31	—	—
Negrals <sup>8</sup>	—	—	—	—
Total:	7109	5242	4128	81
%	100%	73.8%	—	—

<sup>5</sup> In 1363 Alcalà, Polpís, Xivert and Castellnou are lumped together.

<sup>6</sup> Garcia-Guijarro has used the 1363 list, but only for the bailiwick of Cervera, in order to compare the distribution of its population in 1363 and in the 15th century, see *idem*, *Datos* (note I above) pp. 87–88, and his table 22, p. 164.

<sup>7</sup> In 1363 Lo pug (Puig) was marked as Montesan. Listed between Alcoi and Seta, it was probably near them.

<sup>8</sup> “Prior de Magurella” and Negrals are listed together and have been annotated both with the symbol of a cross, used for Montesan possessions, and also with a circle, used to indicate non-Montesan ecclesiastical possessions. Clearly a shared lordship: with a total of 8 households.

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The overall totals available for 1320 and 1363 show a drop of 26% in the population. Without the benefit of the 1363 figures, Guinot believed that the plague had scarcely affected the population of Montesa's places at all. Indeed his figures showed a slight tendency towards demographic growth.

*Here it is possible to compare the figures for 1320, 1363 and 1373, the results are even more striking:*

<i>PLACE</i>	<i>1320</i>	<i>1363</i>	<i>1373</i>
Montroi	31	20	22
Montesa	200	147	170
Perputxent	90	73	55
Montcada	150 <sup>1</sup>	97	237
Borbotó	—	31	—
Silla	200	136	97
Onda	780	601	633
Vilafamés	160	88	200
Alcalà	200	270 <sup>2</sup>	420
Xivert	75	—	—
Castellnou	18	—	—
Polpís	30	—	—
Cervera <sup>3</sup>	250	160	303
San Mateu	900	746	951
Xert	159	120	151
Rossell	50	47	69
Canet	140	134	173
Jana	86	98	128
Traiguera	300	—	343
Càlig	120	127	198
TOTAL:	3939	2895	4128
%	100%	74%	105%
%	—	100%	143%

<sup>1</sup> Figures for 1363, from AHN, Ordenes Militares, Archivo del Consejo de Ordenes, leg. 6489. All other figures are from Guinot, table 41, p. 439. Cf. 290–2 for his assessment, based on the 1373 figures alone, of the demographic effects of the Black Death.

<sup>2</sup> In 1363 Alcalà, Polpís, Xivert and Castellnou are lumped together.

<sup>3</sup> Garcia-Guijarro has used the 1363 list, but only for the bailiwick of Cervera, in order to compare the distribution of its population in 1363 and in the 15th century, see *idem*, *Datos* (note I above) pp. 87–88, and his table 22, p. 164.

If the total for 1363 = 100%, then in 10 years there was an increase of 43%, a remarkable recovery, after a loss of 26% compared to 1320. Unless something is radically wrong with the figures for 1363 or 1373 or both, this would indicate a considerable immigration into the places under Montesan lordship particularly Montcada-Borbotó, Vilafamés, Alcalà with its dependencies, Cervera and San Mateu. Silla, the focus of the Tous-Cruilles feud in 1343–1346, saw no recovery.



PART FIVE

URBAN AND COMMERCIAL DEVELOPMENT



## THE GROWTH OF THE CITIES OF THE CROWN OF ARAGON IN THE LATER MIDDLE AGES

*Carmen Batlle*<sup>1</sup>

The study of town growth in the Crown of Aragon has blossomed thanks to a great deal of recent research. Works dedicated to urban life in the later Middle Ages, however, are not as numerous as those which deal with the period immediately preceeding it. Lamentably, no general work on Spanish urban history based on thorough research and archeology has been written. Our purpose here is to fill that gap.<sup>2</sup> First, we may turn to monographs concerning cities and towns which are more or less out-of-date, widely-focused and very uneven in quality. The proliferation of such works in recent years has led to a virtual renaissance in local history.<sup>3</sup> Despite such research, a general question remains unaddressed—the differentiation of the various settlement categories which occasionally make it difficult to distinguish between the duties and rights of the cities and towns. Nevertheless, certain indicators remain which allow such sites to be differentiated. On one hand, important walled settlements which housed an episcopal see normally received the title of city from the fifth century onward; on the other, towns were settlements which, though not possessing the title of city, had certain privileges and a larger population base than villages and other simple settlements. Towns eventually could attain the rank of city.

For the later Middle Ages, the search for a clearer understanding of urban classification has been facilitated by a source little used by historians: the parliamentary summons. With the political advancement of the townsmen in the fourteenth century, the parliament (*Cortes* in Aragonese and Castilian, *Corts* in Catalan) also gained in strength

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<sup>1</sup> I would like to thank Dr. Donald Kagay for the translation of the Spanish original.

<sup>2</sup> Even though the Crown of Aragon includes the islands of Sardinia and Sicily as well as Naples, we have limited our study to the peninsular realms and to Mallorca since the former territories must be analyzed separately even though they share common aspects with the rest of the Crown.

<sup>3</sup> I refer to the publication published by C. Batlle and J. Busqueta, "Bibliografía (1980–88) sobre ciutats i viles de la Corona d'Aragó a la Baix Edat Mitjana," *Acta Medievale* 9 (1988): 513–27.

and was called into session on a fairly regular basis. The summons from the king to attend such assemblies permit us to fix the limit between town and village (*lloc* in Catalan). In Catalonia, no town of less than two hundred hearths was convoked. In fact, this number of households constituted the dividing line between city and town in Catalonia. In Aragon, this urban measure was four-hundred hearths. In both cases, the figure may have been so small since the region's urban life was totally dominated by its rural life. Thus one feature of the countryside was the great number of agricultural centers which showed no marks of municipal organization. This point, which is not evident in either the primary documentation or in the many scholarly works concerning the parliament which built on the treatises of Jaume Callis (1370–1434), shows that contemporaries clearly knew the legal difference between cities and towns.<sup>4</sup> Thus, the parliamentary summons, despite its significant gaps, is very useful for the analysis of the political role of the cities and towns and the social rank of their representatives. However, the indirect participation of episcopal cities, represented only by a bishop or by his procurator, must also be taken into consideration. Only in Tarragona, the seat of the Archbishopric, was this situation regularly contested by the townsmen.

Another point of distinction between urban sites can be found in their chronology: that is, whether they were old or new. Among the former were the ancient episcopal sees; among the latter were those settlements incorporated by the Crown in the thirteenth century. These included the *Ciutat de Mallorca*, the towns of Valencia, or new sites founded by the Crown or great lords. An example of newer sites is the town of Castellón de la Plana, laid out with a very regular geometrical pattern by James I the Conqueror.

Though their topography was not altered, the settlements reconquered from the Muslims underwent many urban and social transformations due to subsequent Christian settlement. With the establishment of parishes in these settlements, they took on a more rectilinear form. The development of the older cities was marked by their growth outside the Roman walls and the construction of new fortifications. This process, which occurred very rapidly in Catalonia due to local initiative, only took place in the other regions with royal intervention. The foundation or rebuilding of Catalan cities created an urban center which was governed by laws contained in the "let-

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<sup>4</sup> *Les Corts a Catalunya*, Actes del congrés d'Història Institucional (Barcelona, 1991).



ters of population or franchise" (*cartas de población; cartas de franquicias*). In Aragon, this legal role was exercised by the *fueros*; in Valencia, by the *furs*. Such a legal infrastructure was essential for organization of the community's entire life and could be emended by royal decree when population growth demanded it. The laws, which referred to municipal institutions and vital economic concessions to host markets or fairs, are especially interesting. The golden age of such legislation was the thirteenth century when urban activity reached its peak. Together, the *fueros* of various eras constituted groups of municipal law which were later edited and issued as "custom" for each urban center. This legal source is very useful for understanding the local life and society of cities and towns in the medieval Crown of Aragon.

Along with urban development came the differentiation of the townsmen into three classes and the later political advancement of the highest estate. Because of their wealth, these "great men" (*maiori*) became dominant over the majority of the citizenry. At the same time, the merchants and artisans consolidated their control over the populace living outside the municipal walls. The urban center simultaneously increased its power as the great men monopolized urban wealth. This era of commercial success culminated in the "town council" (*universitas*) of the thirteenth century, which as a legal "person" acted to consolidate municipal government under its control. The first institution of this type is found in the royal privilege of Lerida of 1227, but by the mid-century the term was in general use and urban institutions were fully recognized by royal law.

Protection by the Crown was a decisive factor in the ascendancy of the bourgeoisie. This phenomenon was evident in Catalonia from which it passed to Majorca and Valencia. In Aragon, the evolution was slow and remained incomplete due to the existence of a strong noble power and inferior economic activity. James I the Conqueror stated as much in his "Book of Deeds" (*Llibre dels Feyts*):

Catalonia is the best, most honorable and noble realm of Spain; for there are four counts; i.e. the Count of Urgel, Count of Empuries, the Count of Foix and the Count of Pallars, and there are also so many barons that for one here [in Aragon], there are four in Catalonia; and for one knight you have here, they have ten and for one honored citizens, there are five in Catalonia.<sup>5</sup>

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<sup>5</sup> *Llibre dels Feyts* in *Les quatre grans cròniques*, ed. Ferran Soldevila (Barcelona, 1971), chap. 145.

At the end of this fiery eulogy to Catalonia, James praised the Catalan bourgeoisie who eventually came to be called the "honored citizens" (*ciutadans honrats*). This group came to dominate the urban scene and held large tracts of urban real estate. By the Renaissance, it was called the patriciate. Yet it remained difficult even for contemporaries to thoroughly define the status of the upper class. Eventually, however, all of the wealthier urban citizens in Catalonia, Majorca and Valencia comprised an oligarchy which held all municipal power in its grasp. It eventually became impossible—even for purposes of definition—to separate the class overseeing the growth of urban institutions from the municipality itself, a fact which reflected the long road to political control of the city travelled by the honored citizens.

It must never be forgotten that other factors ranging from town planning to demography to supply and, indirectly, to institutional and even religious factors, are crucial for the completion of a meaningful analysis of urban development. The shrinking of the wall circuit, the formation of suburbs, the provisioning of water with the construction of springs, the placement and formation of civil and religious buildings and the evolution of Jewish and Muslim minorities must all be taken into account as signs of urban growth or decay. Much of this information is still preserved in municipal archives or in remaining monuments. Archaeology also stands as a valuable tool in this study. In recent years, the expansion of great cities has given new urgency to such archaeological studies. Unfortunately, much of the urban past is being buried in modern Spain's rush to the future.<sup>6</sup>

The questions of demography and supply, which are so closely associated with growth and depopulation, also stand as significant criteria in the analysis of town development. The most important tool for the measurement of the approximate number of inhabitants and the change in population remains the "hearth" (*fogatge*) census. The census figures must be used with caution since they were only

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<sup>6</sup> It is necessary before dealing with cities in more detail to single out the excavations carried out in Lerida in 1984 in the site named the "Ancient Portal of the Magdalene" which permitted the minute study and documentation of the neighborhood of Magdalena from the first century B.C. to the eighteenth century when it was definitely abandoned because in the War of Succession it remained outside the walls. This fact was repeated in other towns where sieges and wars caused construction of the line of fortifications as in the Seu d'Urgell after the civil war of 1462-72, the episcopal city was largely depopulated by the attacks of the French allied with King John II.

collected from the middle of the fourteenth century onward and few of the lists are complete. Other more trustworthy, but less studied, municipal records offer information about political demography and the provisioning carried out by the municipal authorities. These interrelated factors help the modern investigator delineate the phases of population increase or decline. They also demonstrate how fragile the connection between the city and countryside was in the medieval Crown of Aragon. Such records also show that the Crown or municipal governments of the later Middle Ages repeatedly took actions which had a direct bearing on urban demography. Such official directives, however, were largely reactive. The interest in increasing the birthrate by facilitating marriage remained only an afterthought of limited importance. While town governments consciously dealt with overpopulation or its opposite, such action were generally brought on by epidemics or steady immigration. One example of the latter was the intermittent campaign of the municipal authorities at Barcelona and Valencia to restrict immigration from their hinterlands by issuing charters of Barcelona citizenship or licenses of Valencia residency (*aveinament*).<sup>7</sup>

Besides immigration, grain supply was another key problem in the relationship between the country and city. The constant preoccupation of the authorities with storing sufficient quantities of basic foodstuffs demonstrates the vulnerability of the medieval urban world, a weakness which was thrown into stark relief during periods of famine. Thus, the intrusion of the city into its rural surroundings became evident in the urban mandate to control roads and centers of rural production or distribution. Barcelona and Valencia, whose monopoly over grain production was basic for the growth they accomplished, were able to tighten this control by means of successive royal privileges and by purchase of surrounding lands. The former, for example, acquired the County of Empuries, which was its principal granary during the first half of the fifteenth century. Thus on all levels, the expansion of the cities came into being with the growth of royal administration and full emergence of the *Cortes*, an institution

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<sup>7</sup> In spite of the difficulties of carrying out such research, E. Durán in an unpublished doctoral dissertation has done so for Barcelona between 1375 and 1457 to verify the dominance of the peasants of Pla in the district closest to the city. There also exists more recent studies for Valencia and Castellón de la Plana during the fifteenth century.

which witnessed great urban political ascendance by the middle of the fifteenth century.

### *The Settlements of Catalonia*

To understand the numerous settlements of Catalonia, one must turn initially to the urban settlement charters and studies published by José María Font Rius.<sup>8</sup> These clearly show the establishment of settlers in new towns or the elevation of old centers by the concession of new liberties. Moreover, they point to the era of great urban growth during the reigns of James I and his son Peter III; that is, for the majority of the thirteenth century. This advance affected such old cities as Tarragona, Barcelona, Gerona, Lerida, Vich, Urgel, Elna and Perpignan<sup>9</sup> as much as such new ones as Manresa<sup>10</sup> and Balaguer. During the later Middle Ages, the number of these cities remained unchanged at ten. Only with the sixteenth century did this number increase with the addition of Solsona and other cities by the decision of the higher authorities.

After the cities, there followed in importance several royal towns, including Cervera and Igualada,<sup>11</sup> which had attained importance from their location on the royal road from Barcelona to Lerida to Zaragoza and were thus regularly summoned to the *Corts*. Also significant, were Vilafrancha del Penedés, the site of a great annual fair during the thirteenth and fourteenth century; Puigcerda, a defensive site for a Pyrenean pass; Granollers, whose inhabitants obtained urban liberties in 1252 by imprisoning their lord, the bishop of Barcelona; Comprodón, which was favored by its lord, the Abbot of Comprodón; Vilafranca de Conflent; Besalú, with a famous Jewish quarter; Montblanc, with an impregnable fortified zone; Sarreal; Torroella de Montgrí;<sup>12</sup> Tarrega; Colliure and others whose representatives were sporadically summoned to the *Corts* by the monarch.

Many of the towns mentioned, whose population had increased

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<sup>8</sup> J. M. Font Rius, *Cartas de población y franquicia de Cataluña*, 3 vols. (Madrid-Barcelona, 1969-83).

<sup>9</sup> Empuries, Egara and Tarrassa had disappeared.

<sup>10</sup> King James II confirmed its charter in 1315.

<sup>11</sup> James I had exempted it from the *mals usos* to have it fortified.

<sup>12</sup> Two settlement charters conceded by its lord during the thirteenth century started conflicts between him and the settlers.

along with their economic prosperity, obtained privileges during the thirteenth century. Towns founded by James I and his successors in the Crown of Aragon's era of expansion were soon summoned to the *Corts* because of their rapid development. The Crown's objective in bringing the towns within the parliament was the re-establishment of royal authority in lands still dominated by powerful noble families. For example, La Ral was given legal existence by the Crown in 1248 to drive a wedge between the lordships of the monasteries Comprodón and those of Sant Joan de les Abadesses. As another example, the town of Figueres was founded near the frontier with the great county of Empuries in 1267 with a charter settlement, later to be expanded in 1295 by James II. Another royal objective for founding towns was to increase the security of the hinterland by maintaining vigilance over the royal roads. For this reason, James I granted legal recognition to Bellver de Cerdanya in the Pyrenees and Cardedeu near Montseny. In the second site, the public road had been diverted from the center of town in 1272 to safeguard traffic. Closely connected with this royal activity of road security was the consolidation of a commercial district's prosperity. Thus, for example, a settlement charter was granted in 1228 to Terrassain where a fair similar to that of Barcelona was founded; the port of Vilanova de Cubelles (beside the royal castle and the segneurial castle of La Geltrú on the road between Barcelona and Tarragona) was created and then converted into the villages of Vilanova and La Geltrú. This policy, which soundly repaid the Crown, was continued during the short reign of Peter III, the conqueror of Sicily. He founded the port of Palamós (Gerona) in 1279 and in the following year allowed the Hospital's acquisition of the Castle of Amposta, situated on a strategic point on the Ebro delta. All of these sites proved successful and remained in existence in the century after they were founded.<sup>13</sup> The lordships of the nobility were so affected by this expansive royal policy that many lords were obliged to grant favors to the inhabitants of their lands to prevent them from fleeing to royal territory. They founded religious centers in order to improve the region's economy.<sup>14</sup> In this way, the process of liberation through settlement charter was extended to Old Catalonia, which was long envious of the franchises conceded to the towns of New Catalonia.

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<sup>13</sup> Most especially, Figueres and Vilanova de Cubelles.

<sup>14</sup> The Pinos family did much the same when they established to the side of the Pyrenean castle of Bagà a new capital of its dominions (1233).

From an urban point of view, the new foundations were the result of generally careful town planning. They came into being as a rectilinear grid formed from intersecting streets or a circle or semicircle which were much more adaptable to elevated or irregular landscape to augment the defensive character of the new site. In the circular form, the parish church could have a central location, even if at a somewhat elevated point from which three or four streets originated. In many places, there was a unhindered connection between the parish church and the castle and houses so as to better defend the entire district. Other central elements were the plaza, which might originally have been the market (thus accounting for the name *Mercadal*) or the cemetery; the street with porticoes (as in the Pyrenean villages); and several buildings used by all the community, such as the granary, the wine press, the mill, etc. In Old Catalonia where a diverse habitat predominates, the urban structure could be carried out to the logical completeness of its form. In such places the center could cause a multiple focus around the church on one side and the fortress on the other. Its growth might cause the formation of a kind of suburb or "new village" (*villa nova*), the division into distinct quarters (as at Cervera), or the formation of two neighborhoods placed on opposite ends of a lineal city.<sup>15</sup>

If we focus on the development of the new districts of the Catalan cities at the end of the thirteenth century, clear signs become evident of demographic growth concentrated in the burgs or suburbs, which themselves came to be well-defended with the construction of walls. In Barcelona, the progress which economic expansion had brought about, manifested itself in the increase of the first burgs which came into being outside the gates of the Roman walls which faced the sea. For this suburb, a new wall had to be built, which was begun during the reign of James I with the fortifications of the gates of La Rambla—later to become the *Portaferrissa*—and ended during the reigns of his immediate successors. The enlargement of this district to the southeast took place at the end of the reign of Peter IV the Ceremonious in 1374 with the enclosure with walls of the territory from the Ramblas to the monastery of Sant Pau del Camp. This took in the poorest suburbs—those of the hospitals and butchers. Between these and the monastery, there sprang up a new neighborhood, El Raval, which

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<sup>15</sup> Much like the neighborhoods of Capdevila and Soldevila in La Seu de Urgell. These names are found in several villages of the region.

could absorb the anticipated demographic increase. If the circumference of the Roman city was some twelve hectares in the early Middle Ages, it increased to 131 hectares to reach some two-hundred hectares in modern times. After the civil war (1462–1472), the population base increased from 5,847 hearths in 1496 to 6,388 in 1516.

The capital was dotted with various buildings dedicated to commercial and manufacturing activities. Typical of these were the exchange building, *La Lonja*, seat of the Consulate of the Sea, and other such notable ecclesiastical and civil structures as that of the Council of Hundred or the representative plaza of Blat.<sup>16</sup> The crisis of the late fourteenth century occasioned the destruction of the Jewish neighborhood, the *Call*, and this caused great change to this part of the city. These changes were manifest with the construction of the Palace of the Generalitat which came to occupy part of the ancient network of alleys. The difficulties of such “official” growth in the midst of an old residential neighborhood were reflected in the development of El Raval which came into being near such public structures as the Hospital of Santes Creus, the Convent of Carmen and a stretch of the city wall down to the sea.

The capital, divided into four districts from the ideal center which is the plaza of Blat (now that of Sant Jaume), represented an unequal distribution of wealth, which can be evaluated, thanks to the records of fiscal rents for hearths in the second half of the fourteenth century. Of the urban zones, that of Framenors and Mar, were undoubtedly the richest in a city of some 40,000 inhabitants. Approximately thirty-eight percent of the fiscal revenues and forty-one percent of the households were located in the first zone. Sixty-eight percent of the total wealth of the city’s population sprang from these two neighborhoods. Next in order of wealth was Sant Pere—the neighborhood which sprang up around the monastery of Sant Pere de le Puel·les—with seventeen percent of rents. Finally, with some fifteen percent of the rents came the parish of Pino which was the poorest zone bordering La Rambla. The fiscal category of the hearth, rated greater or lesser according to its taxable capacity, increases our understanding of the neighborhood and of the social stratification of its inhabitants. The principal conclusion to be drawn from this evidence is that the majority of the populace was dominated by a small

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<sup>16</sup> J. Cabestany, “Una primera reforma urbana a Barcelona: la plaça del Blat (1351),” *Quaderns d’Arqueologia i Història de la Ciutat* 17 (1977): 141–54.

and very wealthy minority, which though constituting only ten percent of the population, paid almost half of the tax collected in Barcelona. Clearly, most of Barcelona's wealth was in the hands of an oligarchy which held sway over the municipal government. In real terms, the rich were concentrated in the residential streets of the parish of Santa Maria del Mar, while the poor lived near the church in a crowded section which stretched to the east to the edge of the 'Comital Canal' (*Rec Comtal*).<sup>17</sup>

After the capital, the second city of Catalonia was then Perpignan with a maximum of some 18,000 inhabitants in 1378. Its growth was apparent with the construction of new walls to protect the neighborhoods of Sant Jaume, Sant Mateu and La Real, as well as with the building of the castle of the Kings of Majorca and other public buildings. In the same era, Gerona, a site which had come into being at the confluence of two rivers, was home to a maximum of some 8,000 inhabitants within its walls. Here, the men of the three classes or estates can be clearly differentiated from the tax records, which fluctuated between the rate of 132 *sous* for the lesser class to some 260 *sous* for the greater class. Social difference were also observed in the residences for these different classes—the richest lived within the walled city and only a few preferred the suburbs of Sant Feliu, Mercadal, and Sant Pere de Galligans.<sup>18</sup> Gerona's decline in the second half of the fifteenth century was due to the sieges suffered because of its strategic location in defense of the country during the civil war and the subsequent attacks of the French.

As the second capital of Catalonia, it is fitting to discuss the importance of Lerida, a city of some 1213 hearths in 1365–70. Ramon Muntaner declared in his *Chronicle* (chapter 214) that: "Barcelona is the head of Catalonia on the sea. On dry ground, Lerida is."<sup>19</sup> Its defensive structure, like that of Gerona, was shaped by a fortified hillock, the *Žuda*, and the river. Here, the oldest families lived around the church of San Lorenzo, which they had built and decorated. During the fifteenth century, the most important street was that of the General which ran from the bridge to the cathedral. On it, the families of the urban oligarchy were established in great houses simi-

<sup>17</sup> A. García Espuche and M. Guardia, *Espai i societat a la Barcelona pre-industrial*, (Barcelona, 1986), 24f.; C. Batlle and J. Busqueta, "Las familias de la alta burguesía en el municipio de Barcelona (siglo XIII)," *AEM* 16 (1986): 81–92.

<sup>18</sup> C. Guilleré, *Gerona medieval. L'etapa d'apogeu. 1285–1360*, (Gerona, 1991), 58–9.

<sup>19</sup> J. Lladonosa, *La ciutat de Lleida*, 2 vols. (Barcelona, 1955), 1:98ff.



lar to those of Barcelona on the *Calle de Montcada*. Merchant families, however, predominated on the *Calle Mayor* with the open stalls and work shops of master artisans existing near the living quarters of several of the honored citizens. In even the smallest Catalan cities and towns, a main street, called the *calle mayor* where the families of the local oligarchy clustered, is always found.

The configuration of Tortosa was even more striking. It was born and grew out of its function as a fortified site which protected a ford in the Ebro River and the traffic from the interior to the sea; that is, the traffic of the bridge and of the port. Its development took place in a southerly direction as the construction tracked away from the old Roman city. Tortosa's urban plan is opposite that of Tarragona which remained within its Roman borders. In its heyday, Tarragona was a town of some 5,000 people with prosperous Jewish and Muslim quarters of a hundred hearths each—a rarity in contemporary Catalonia. Though Tarragona's seaside neighborhood doubled during the fourteenth century, it declined to three hundred hearths after the victorious siege of John II in 1462 during the Catalan civil war. It then steadily increased, attaining some 579 hearths by the end of the century. Like Tarragona, Manresa and Balaguer had the same strategic importance as bridgeheads before they became cities. The former, situated on two hillocks which controlled two bridges, increased as a commercial district, thanks to the weekly market and two fairs founded in 1283. Its title of city as well as its municipal government were both established by James II. During the period 1365–70, it attained a population of 3,000. The latter, a Muslim capital and head of the County of Urgel, only reached a population of 1,300, even with the development of a collonaded market within its walls and a neighborhood on the other side of the bridge around the convent of Santo Domingo.

In order of importance among Catalan cities, Vich came next. It expanded in a circular form into the middle of La Plana, attaining 3,000 inhabitants in 1357. Cervera, on the other hand, had from its elevated position expanded in a straight line above the royal road. It grew to some five-hundred hearths between 1365 and 1370. This gave it the same population as Manresa and Vich. The villages of Montblanc, Vilafranca del Penedés, Valls and Berga did not reach this population level. Tarrega, with some two hundred hearths from the middle of the fourteenth century and well-situated on the royal road, had a vote in the *Cortes*. On the very same road, Igualada

emerged from its initial square structure to one elongated at a distance from the road with several phases of expansion marked by the construction of three walls—that of the twelfth century, of the fourteenth century, and of 1438. In effect, these and the other settlements of Catalonia followed a similar rhythm. They reached their greatest level of growth before the mid-fourteenth century, undergoing a long decline due to the Black Death and the Catalan civil war. None of them recovered their lost population base until the eighteenth century.

### *The Cities of Aragon*

The cities of the Aragonese realm, which have only been partially studied,<sup>20</sup> were ten in number by the end of the Middle Ages—equal to those of Catalonia according to the *Cortes* summons. They came into being on unappropriated land and had walls and notable buildings—a characteristic which was also apparent in the principal towns of Alcañiz, Tauste and Ejea. Differentiation between cities and towns is at times difficult to determine. For example, Monzon was favored with the title of city by King Sancho Ramirez in 1089 and yet would also remain a town. On the other hand, Tamarite de Litera received an urban title from Peter IV in 1337 but never really grew large enough to deserve it. We also find included in the the parliamentary summons list places of scanty population, such as Aynsa and Ribagorza, which from the end of the fifteenth century acted as “tax collection centers” (*sobrecollidas*) for two of the twelve districts in which the kingdom was divided for the collection of the *morabatin* and of other dues. The other “tax collection centers” were Jaca, Tarazona, Huesca, Barbastro, Calatayud, Zaragoza, Daroca, Montblanc and Alcañiz, all cities or villages of some importance. It is interesting to review the process by which the Aragonese sovereigns made or refused to make settlements into cities. Personal motives undoubtedly influenced these decisions, as in the elevation of Teruel to a city. Peter IV, fleeing from a Valencia isolated by the Black Death and the noble revolt of the *Union*, took refuge in Teruel in 1348; in the same year it received the title of city.

<sup>20</sup> J. M. Lacarra, “El desarrollo urbano de las ciudades de Navarra y Aragón en la Edad Media,” *Pirineos* 15–16 (1950): 5–34; I. Falcón, *Zaragoza en el siglo XV* (Zaragoza, 1981); idem, “Las ciudades medievales aragonesas,” in *La ciudad hispánica*

Aragonese urban growth is sufficiently uniform to draw several conclusions about it. The Muslim cities, which were walled and had well-developed urban districts, were barely changed under Christian rule. The settlements solely created under Christian auspices, such as Jaca, the first capital of Aragon, offer a marked contrast. However, several of the Muslim cities, such as Zaragoza, were of Roman origin and conserved part of the restored city and stone walls. Despite this Roman heritage, the Aragonese cities had much less vitality than their Catalan counterparts. In Aragon, new population centers did not emerge during the thirteenth century; the wall circuits of existing centers increased very little. As Lacarra recognizes, markets and fairs, which were factors of natural and spontaneous growth in Catalonia, barely existed in Aragon.<sup>21</sup> In Christian cities, fairs only came into being with active royal or municipal sponsorship; in Muslim cities, they did not exist. Only in Zaragoza was the market a significant factor: in 1210, with the permission of Peter II, the market was transferred from the Cinegia bridge to its present site next to the Roman wall near the Toledo gate. Commerce was almost always in the hands of Jews and Muslims who lived in inner-city neighborhoods which were difficult to expand.

Urban growth which was apparent in Catalonia with the spread of suburbs and extension of walls is discernible in Aragon only with the appearance of a new social group, the bourgeoisie. Especially in Zaragoza, Huesca and Jaca, this group used its wealth to gain political power. Even though it had been enriched from commerce and manufacturing activities, it quickly invested more in real estate than in the family business and bound itself by marriage to the petty nobility—the knights or *infanzones*. The result was a very active urban oligarchy. Unlike the other wealthy townsmen of the Crown of Aragon, the Aragonese bourgeoisie remained close to the nobles who stayed faithful to the king. For this reason, the Aragonese bourgeoisie neither invested the majority of their wealth nor helped develop several strong municipalities.

In spite of the failure of the oligarchy to spur economic growth, such growth nevertheless did take place. Even after the construction of a new wall in the fifteenth century, Jaca's increase was not appreciable. Instead, it remained a small city with 143 hearths in the census of

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*durante los siglos XIII al XVI*, ed. Emilio Saiz, 3 vols. (Zaragoza, 1984), 2:1159–1200.

<sup>21</sup> Lacarra, 13.

1495. The Jewish and Muslim quarters outside Jaca's walls, developed in a similar way as did zones in Huesca outside the two gates farthest from the river which allowed a good deal room for expansion but were barely taken advantage of. Conversely, the increase of Barbastro, with two city centers growing up next to each other, was spectacular. The newer and more extensive of these came into being in the twelfth and thirteenth centuries on the Monzon road on the right bank of the Varo River and was not protected by any walls at all until the fourteenth century. This district, which sheltered a fairly large population (455 hearths in 1495), later expanded on the other side of the river.

The ordered form of urbanization in this new settlement of Barbastro—with blocks of houses separated by very straight streets—must be emphasized. This urban model was one typical of Christian Spain. It was apparent in Tarazona where great urban transformation took place in the sixteenth century. The same geometric form of urbanization is visible in the suburbs of Huesca, which evolved in the thirteenth century, and in Borja, which had been a seigneurial dominion under the control of its first lord Bertran de Guesclin. The strong growth of the town, which continued until the fifteenth century, caused the Crown to grant it the title of city in 1438. Daroca also showed the same regular form, despite the difficulties of terrain. The fortified settlement of the hillock increased to the level ground and, during the fifteenth century, spread to the opposite slope and enclosed the suburb of Fondonera on the main street. This growth, shaped like a fish spine, centered on the same street. Daroca obtained the title of city in 1366 thanks to the services rendered to Peter IV and its resistance to the siege Peter I the Cruel of Castile—a fate it shared with Calatayud in 1365–6. The latter settlement developed along a plain organized in two axes, while the Jewish and Muslim quarters remained in the upper zone. Teruel, which reached its peak by 1230, (it was the gathering point of the army in the Valencia campaign), was arranged in a regular plan with two axes which crossed in the Plaza of the Market or *Plaza del Torico*.

Even more unusual than Calatayud's urban development was that of Albarracin, a site which came into being between two peaks, of 1,000 and 1,300 meters in altitude, respectively. The settlement, declared a city by order of James II in 1300, was divided into two sectors—the Muslim city and the Christian neighborhood which came to be surrounded by walls at the order of Peter IV. With ninety-nine

hearths, it was the smallest city in Aragon in 1495, while the capital, Zaragoza, was the most populous at this time with 3968 hearths. Albarracin's old center, which was marked by its Muslim characteristics, contrasted with the suburb of the market characterized by its wide and straight streets, and with the thirteenth-century neighborhoods of the parishes of San Miguel and San Pablo. At the same time, the Jewish quarter, the *Judería de Barrio Nuevo*, which was situated outside the walls, grew in population and area. From the fear of Castilian invasion during the War of the Two Pedros, the entire area, some 130 hectares in extent, was protected from the fourteenth century by new walls, called the *muro de rejola* to distinguish it from Albarracin's much older stone wall.

The expansion of this Jewish neighborhood merits mention, because it is the only surviving case of an important *aljama* in the realms of Aragon during and after the pogroms of 1391. It was apparently saved from destruction by the presence of the royal family in the city during this period. Even had pogroms not thoroughly annihilated the other Aragonese *aljamas*, several, such as that of Huesca, had already fallen into complete decline due to the depopulation caused by the Black Death. The demographic downturn was so great that no urban growth took place from the thirteenth century to the end of the Middle Ages, when Huesca had only 616 hearths. The destruction of the Jewish quarters, the action of the Inquisition against the *conversos* from the end of the fifteenth century, the expulsion of the Jews in 1492, and later the forced conversion of the *Moriscos* in 1525 with their expulsion a century later provoked urban changes as the formerly-isolated neighborhoods of the religious minorities were fully incorporated into general town life. The decrease of inhabitants due to these attacks had negative repercussions on the scant population density of the cities and towns. In general, then, Aragonese settlements, except for Zaragoza and Calatayud (1027 hearths in 1495), were rather small. In fact, only sixteen percent of the populace lived in the royal cities and the rest in towns and rural settlements, the majority of which were under baronial control.

### *The Cities of Valencia*

The process of urban development and the foundation of new settlements in Valencia was intimately connected with the advance of the

Christian conquest (as studied by Father Robert Burns), with the restructuring of the Valencian capital and the realm's other centers and with the change in urban orientation for many of these sites. Despite the importance of certain towns, only Valencia, Castellón de la Plana, Játiva, Orihuela, Alicante, and Oriola warrant attention. Besides its capital, these were the five Valencian cities of the later Middle Ages. Denia and Gandía were added to the list in the eighteenth century.

Unfortunately, we possess few studies which focus on the urban problems which derived from the transformation of Islamic settlements into Christian cities. One example is Villa-real which was founded in 1272. Castellón de la Plana and Pobla de Nules, after their original sites were altered, took a much more regular urban shape. This theme has been dealt with extensively in the studies on the morphology of the old Valencia cities by Manuel Sanchis Guarner, on the evolution of the urban landscape of Valencia by Pierre Guichard and Jacqueline Guiral and on the mass of urban regulations passed by the Valencian "city council" (*consell*) during the fourteenth century by José Trenchs and Milagros Carcel.<sup>22</sup>

It is necessary to emphasize several features common to a great number of Valencian settlements of the period: the majority of the littoral settlements possessed a maritime suburb which customarily received the name of *Grau* as in Benicarló, Castellón, Burriana, Nules, Sagunto, Valencia and Gandía; the urban configuration was characterized by the formation of or adaptation of neighborhoods or suburbs destined to house traders and Muslims; and the old Muslim public buildings changed functions to benefit the new Christian society. The most evident example of this occurred in the capital where, once the "property division" (*repartamiento*) was finished after the conquest, James I created a seaside neighborhood to the east of the city with sailors' houses as well as the *Vilanova del Grau*, a residential district in the ancient Muslim port to the left of the Guadalaviar River. From 1338, the Valencian town council began the construction of warehouses for the storage of materials necessary for the naval armaments of the municipality. This area would be the center for artisans who still have shops there.

<sup>22</sup> M. Sanchis Guarner, "Morfología de las velles ciutats valencianes," IX *CHCA*, 3:245-56; Pierre Guichard and Jacqueline Guiral, *Valencia puerto mediterráneo en el siglo XV (1410-1525)* (Valencia, 1989); M. Cárcel and J. Trenchs, "El Consell de Valencia: disposiciones urbanísticas (siglo XIV)," in *La ciudad hispánica*, 2:1481-1545.

Different elements were decisive in the modification of the Valencia's layout. All the mosques were transformed into churches, a process begun with the cathedral. Five hospitals were created during the thirteenth century, though several similar institutions, such as the leprosarium, were set up outside the walls but had disappeared by the end of the sixteenth century. The city hall was constructed between 1311 and 1342 and was later enlarged. Finally, the site, once occupied by the Muslim "Exchange of the Merchants" (*Al-Qayseriya*), was used for Christian buildings. The Jewish quarter, which extended from the gate half-way past the cemetery, grew to reach a population of some 250 families from the beginning of the fourteenth century, while those of Castellón, Murviedro and Játiva, the most important of such *juderías* after Valencia, each had a populace of only approximately five-hundred people. The Muslim quarter was established outside the walls of the capital with a mosque which was converted into a church after 1525. Between this suburb, which was sacked at various times, and the city, a new walled neighborhood was created from 1311, when the pimps and prostitutes were expelled from the city center. The new suburbs, coming into being during the first half of the fourteenth century, had to be protected during the long and critical period of war with Castile. Because of this conflict, Peter IV in 1356 ordered the construction of a new district, from which the gate of Serranos and the towers of Quart still survive. Its area was triple that of the old Muslim city, whose streets extended into the suburbs, once the old walls were demolished.

The extraordinary capacity of the capital to attract peasant immigrants from lands of lords and castellans assured its position of dominance over other Valencian cities. Because of the demographic and economic crises of the fourteenth century, a wave of rural immigration swelled the capital's population to some 26,000 in 1360. At the end of the century, Francesc Eiximenis in the *Dotzè del Crestià* described Valencia as "beautiful and well-built city" with straight and parallel streets. This regular perspective presaged the classicism of urban architecture of the sixteenth and seventeenth century.<sup>23</sup> Like the Barcelona town government, the Valencian council was greatly concerned with urban embellishment and beautification, street cleaning, the maintenance of access routes, (especially those which connected

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<sup>23</sup> S. Vila, *La ciudad de Eiximenis: Un proyecto teórico de urbanismo en el siglo XIV* (Valencia, 1984).

the city to Grau), with the building of bridges, such as the wooden structure over the Guadalaviar (which was very similar to the bridge of Sant Boi over the Llobregat at Barcelona) and the construction of the fountains (such as that of the Grau and Vilanova del Grau for the use of ships and sailors). Since they were responsible for security, the council ordered the demolition of porticoes and supports of stone and wood which could catch fire, which had actually occurred during the conflagration of 1447 at the cost of ten lives. After this disaster, construction of this sort was prohibited. Under the influence of Eiximenis, the council also ordered the widening of several streets with the destruction of blocks of houses, such as in the "Street of the Knights" (*Calle de los Caballeros*) in 1378 where the Exchange would be constructed forty years later.

With the decline of the population during the second half of the fourteenth century, the council encouraged the establishment of new settlers on lands which could provide a good supply of grain. For this reason, after several years of bad harvests, the councillors attempted to negotiate an arrangement with the villages of Gandía, Oliva, Denia, and others which would assure an abundant grain supply at a fair price. Thus, the capital extended its royal privileges over the grain production of the countryside so "it would be well-populated and more powerful." It accomplished its objective with the settlement of approximately forty-six new families (1,669 people between 1375 and 1410) under the protection of the municipality. Conversely, once Alicante, Castellón, Cocentaina and Sant Mateu had suffered a high mortality rate in 1401, they proved unable increase their population base. The case of Burriana is significant, since it dropped from 597 hearths in 1362 to 190 in 1432. The mobility of the population came to benefit the great urban centers, especially Valencia, where 1,327 families were settled largely during the first half of the fifteenth century and even greater numbers settled as illegal immigrants. Castellón legally settled 505 families between 1439 and 1502, many of them *en route* to the capital. Alcira, Játiva and Alicante all increased, the last attaining the title of city in 1490. In Valencia, more gates and streets were opened through the old wall. The Jewish quarter broke an opening in its wall and a street ran through it. The street of the artisans was widened. The municipal ordinances, expressing a new urban aesthetic and desire for "public utility", undertook such construction "so that the streets would be



beautiful and straight." This new public spirit was also apparent when it became necessary to clear a widened street so the Corpus Christi procession could more easily pass. The ordinance concerning viewing stands declared that they had to be of wood and could be dismantled so travellers would not be bothered. The formation of such free space for sports and celebrations as the *Born* in Barcelona presaged the monumental plaza of the following centuries. All of the above demonstrates the tremendous vitality of the Valencian cities at the end of the Middle Ages.

### *Ciutat de Mallorca*

In the midst of villages and towns of the island and the rest of the medieval Balearics, Palma or the City of Mallorca, as the latter name indicates, is the only important population center which can truly be called a city. The other cities did not merit this distinction until centuries later—Alcudia de Mallorca in 1523 and Maó, Ciutadella de Menorca and Eivissa in the eighteenth century. The urban expansion of the Ciutat de Mallorca corresponded to an era of prosperity based on commerce. This period practically began with the Christian conquest, slowed somewhat due to the pogrom of 1391 and was in decline by the middle of the fifteenth century. The end of the capital's power can be attributed to the repression the royal army unleashed on the peasants living in the towns who were caught up in the aliens' revolt against the capital. They perished in great numbers at the hands of the soldiers sent by King Alfonso V the Magnanimous and their settlements were totally destroyed. After this defeat and destruction, the peasants remained a ruined class because of the high indemnifications they were forced to pay the victors in this war—the rural lords, the townsmen of Palma and the king. Naturally, the destruction of the rural economy of the island had repercussions for the capital which itself now began to decline.

During the centuries of growth, Palma continued the role it had played in the Islamic era as a well-defended fortress. Its form was initially only altered with the addition of a cathedral. The development of the capital has been extensively studied by a number of authors, among whom we must single out Gabriel Alomar for the analysis she carried out of the famous *Ordinacions* of King James II

of Majorca, in which many interesting provisions about urban planning are to be found.<sup>24</sup> The population, protected by walls and organized into five parishes, was divided by a waterfall, the *Riera*, which was very dangerous in the rainy season, as was shown by catastrophic floods of 1403, 1444, 1618 and many others. The projects to divert this water were numerous but were not successful until the seventeenth century with the construction of a new line of walls—the fifth in the city's history. The medieval urban expansion outside the walls only took place in a concentrated point towards the sea. This was the seaside neighborhood of the parish of Santa Creu which itself contained the suburb of Santa Catarina which grew up around a hospital. Near this spot stood the dockyards, several greatly prized thirteenth-century arches of which still remain. The entire extra-mural settlement took the form of a semi-circle oriented toward the sea. By and large, the monopoly exercised by Palma's commercial classes as well as the destruction wrought by the popular revolts of the "Brotherhoods" (*Germanies*) in 1521 would conspire to bring on the capital's decline. As the walls and water canals for the city and the mole came to demand repair, Palma presented an unkempt appearance, which was commented on by inhabitants and visitors alike. The reason for this neglect was the lack of revenues generated from the inhabitants and thus the poverty of the municipality. Indeed, the councilmen complained about this lack of funds to King Ferdinand the Catholic, when he sought an extraordinary contribution from them. Only with the urban reforms of the nineteenth century would the city be transformed. The only increase before this was a street-paving project undertaken in 1777 to avoid dust clouds in summer and mud puddles in the rainy season.

### *Conclusions*

As a point of departure for our study, we have established the difference between two categories of settlement—the city and the town. Only twenty-six cities existed in the Crown of Aragon during the later Middle Ages. Basically, this analysis has focused on these cities, even though examples drawn from several of the most important towns have also been utilized. In fact, it is sometimes difficult to

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<sup>24</sup> G. Alomar, *Les "Ordinacions" de Jaume II en el Reino de Mallorca* (Barcelona, 1973).

establish the difference between one and the other in Catalonia and Aragon when settlements either possessed the title of city but were not episcopal sees or did not utilize the urban title conceded by the monarchy. The ascendance of the royal cities was totally bound to the process of expansion and territorial consolidation of the Christian reigns in the zones conquered from Islam. This process was also connected with the establishment of royal power over the great nobility of the rural districts as well as with the repeated epidemical and economic crises. In effect, the cities grew during the thirteenth century; the greatest signs of this growth were the development of neighborhoods, suburbs or burgs, as well as with the emergence of municipal oligarchy. These new centers outside the walls generally arose around a network of parishes which imposed great changes on the face of the old Muslim cities.

In regard to internal structure, we have demonstrated notable differences between cities. Among the Catalan cities, the influence of Muslim urbanism is hardly apparent; this Muslim aspect is thrown into high relief in the ancient population centers of the other kingdoms of the Crown of Aragon. Besides this, urban Muslim quarters, which proliferated in Aragon and Valencia, barely survived in Catalonia and then only in Lerida and in the district of Tortosa. On the other hand, a feature common to a majority of the cities was the regularity of their layout which reached its apogee with the founding of Castellón de la Plana in the mid-thirteenth century. This regularity and equilibrium would largely be imposed by the middle of the following century on old cities, which had attracted new inhabitants. The influence of Francesc Eiximenis on this subject and the practical provisions put in place in several cities under the influence of humanist thought have been discussed. Such municipal regulations, which attempted to establish an urban aesthetic, became even more evident from the end of the fifteenth century. The formation and arrangement of the great open spaces which this new municipal philosophy dictated, was largely derived from the Renaissance.

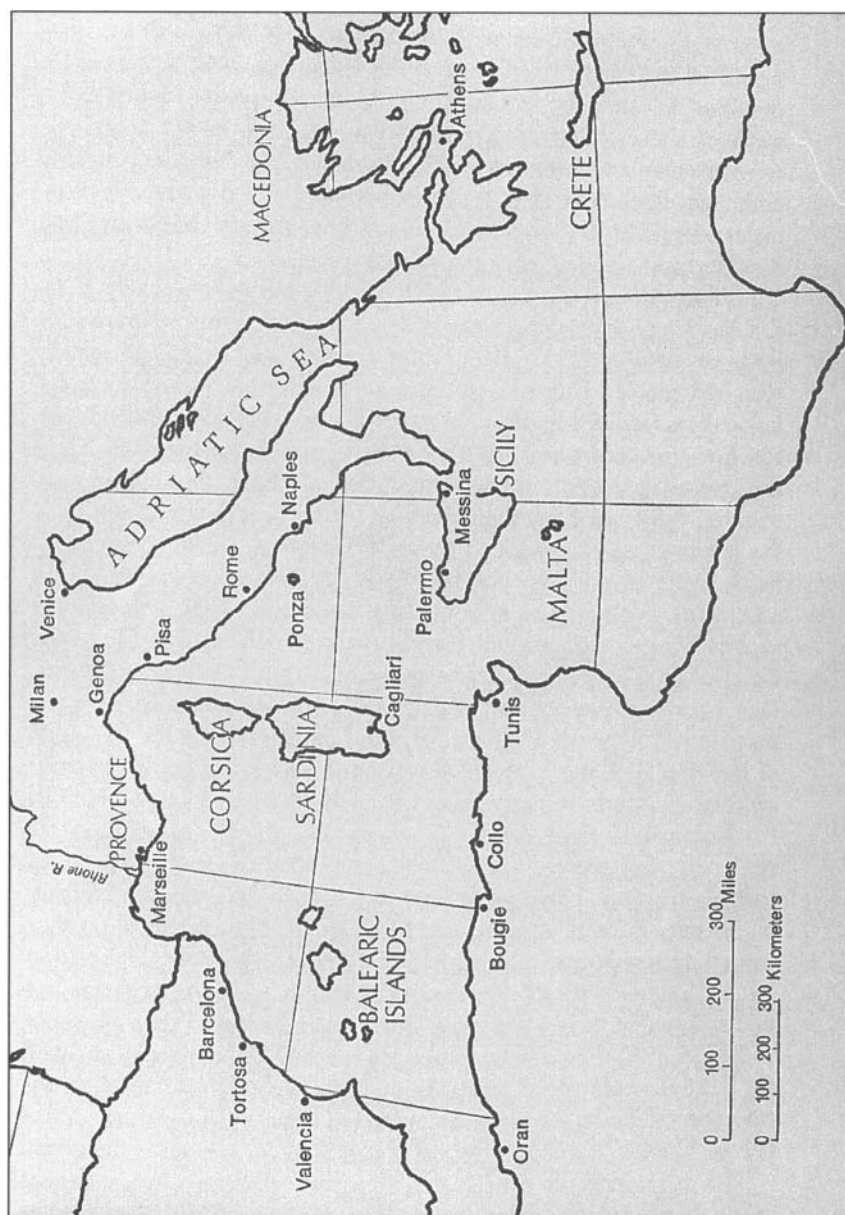
After this era of advancement was destroyed by the Black Death, Catalonia, at least, underwent a feverish building boom apparent in the construction of several cathedrals. This boom was only halted with the civil war (1462-72) and the uprising of *remensas*. In Majorca, the problem was similar with the rising of the aliens against Palma. The kingdom of Valencia followed a different rhythm. Reaching its greatest growth in the fifteenth century, it did not begin to decline

until the next century with the social revolution of the *Germanies* in 1516. In Valencia and Aragon, the trauma of the expulsion of the Jews in 1492 and later the Moriscos in 1609 would have strong repercussions on all levels. Yet, these events would scarcely affect Catalonia. In conclusion, the era of urban growth and decline discussed here only provides a prelude to the true urban renaissance of the Crown of Aragon which commenced in the eighteenth century and has extended down to our own time.

Table 1

*City Populations and Areas in the Medieval Crown of Aragon*

<i>City</i>	<i>Area (Hectares)</i>	<i>Population</i>	<i>No. of Hearths</i>
<b>CATALONIA</b>			
Barcelona	12 (Roman 131 (medieval 260 (early modern)	40,000 (14th century)	5847 (1496) 6388 (1516)
Perpignan	52	18,000 (1378)	1642 (1359)
Tortosa	27	7,800	1521 (1342)
Gerona	25	8,000	1590 (1365)
Lerida	50	9,600	1213 (1365) 1213 (1385)
Tarragona	26	5,000 (13th century) 9,000 (15th century)	1366 (1365) 300 (1492) 579 (1500)
Manresa	—	3,000 (1365-70)	—
Balaguer	—	1,300	—
Vich	—	3,000 (1357)	—
Cervera	21	7,800	1212 (1359) 500 (1365-70)
Tarrega	—	—	200
Puierda	43	7,900	1232 (1359)
<b>ARAGON</b>			
Zaragoza	100	19,200	2560 (1385) 3968 (1495)
Huesca	30	6,500	1347 (1244)
Jaca	—	—	143 (1495)
Calatayud	31	6,200	1245 (1346)
Teruel	28	7,600	1521 (1342)
<b>VALENCIA</b>			
Valencia	142	26,000 (1360) 31,110	7651 (1359)
<b>BALEARICS</b>			
Palma de Mallorca	108	17,000	3,392 (1238)



The Western Mediterranean

# COMMERCE AND THE KINGDOM OF MAJORCA 1150-1450<sup>1</sup>

*David Abulafia*

## I

Ready assumptions about the "imperialist" intentions of the Aragonese kings in launching their Mediterranean conquests have given place in the last few years to a cautious insistence on the need to distinguish the aims of different kings, to emphasize the contrast between strictly Aragonese interests and those of the Catalans, to soften the traditional stress on the links between commerce and the crown in the planning of the conquests. The simple result is the abandonment of the "manifest destiny" view of Catalan medieval history propounded by Ramon Muntaner; but another result is bound to be a feeling of perplexity about the relationship between the different lands of the Crown of Aragon at times when as many as three separate kings of Aragonese royal descent held sway between Syracuse and Saragossa. Expressed differently, it is clear that Peter the Ceremonious' vision of the links between Catalonia and Mallorca or Sicily was novel, in the sense that he sought to incorporate both kingdoms into his realm, but also that it did not mark a radical break with an emerging set of principles concerning the relationship between Catalonia-Aragon and the island conquests of the Crown of Aragon. The famous comment made in 1380 by Peter IV in a letter to his heir explains a good deal:

*perduda Sardenya, pot fer compte que axí mateix li totra Mallorques, car les vitualles que Mallorques sol haver de Sicília e de Serdenya cessaran e per consegüent la terra se haura a desebitar e perdre.*<sup>2</sup>

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<sup>1</sup> In order to distinguish the island of Mallorca from the kingdom of Majorca, which included Menorca, Ibiza, Roussillon, Cerdagne, Vallespir, Carlat and the lordship of the greater part of Montpellier, advantage has been taken of the existence of two spellings in English: Majorca refers here to the entire kingdom, Majorcan to subjects of the king of Majorca from any of his territories; Mallorca and Mallorcan refer only to the island of that name.

<sup>2</sup> V. Salavert y Roca, *Cerdeña y la expansión mediterránea de la Corona de Aragón 1297-1314*, 2 vols. (Madrid 1956), I:213-4, n. 37.

It is not just the inclusion of all the Mediterranean islands that is striking here, but the insistence that the economies of the islands are by now closely inter-related. The function of the trade between Mallorca and Sicily or Sardinia is not simply to enrich Catalan merchants, but to sustain the population of Mallorca, and, by extension, to make possible the continued political stability of the west Mediterranean islands.

The intention here is to look at the ways in which the major trade routes of the late medieval western Mediterranean were transformed by a series of related developments in the Catalan political world: the conquest and settlement of the Balearic islands from 1229 onwards; the creation by the will of James I of Aragon of a notionally independent kingdom of Majorca, which lasted, under increasing constraint from Aragon, from 1276 to 1343; and then the reincorporation of this kingdom into the lands ruled by the king of Aragon and count of Barcelona after 1343. The subject is thus not simply the commerce of the island of Mallorca and the kingdom of Majorca, but the relationship between the changing views of the function of the Majorcan kingdom in the Aragonese commonwealth and the expansion or contraction of its trade that accompanied its changing status.

In what follows the emphasis will be on the Balearic islands, since I have discussed the links between the mainland and the island parts of the kingdom, and the trade of Perpignan and Montpellier, in a parallel study elsewhere.<sup>3</sup> The purpose of that study was to look at the coherence of the independent Majorcan kingdom; in this study the emphasis will be more on the relationship between the Balearics and the rest of the western Mediterranean, notably North Africa and the lands of the Crown of Aragon.<sup>4</sup> Moreover, an attempt will be made to place the kingdom's trade in a wider context by looking at Latin trade with the Balearics before the Catalan invasion of 1229, and at the trade of Mallorca after the fall of the autonomous kingdom in 1343.<sup>5</sup> Above all, this study seeks to examine the trade of

<sup>3</sup> David Abulafia, "The Problem of the Kingdom of Majorca. 2: Economic Identity," *Mediterranean Historical Review* 6 (1991): 35–61.

<sup>4</sup> I have discussed the Atlantic trade of Mallorca in my article "Les relations comercials i polítiques entre el Regne de Mallorca i Anglaterra, segons fonts documentals angleses," *XIII CHCA*, 4:69–79.

<sup>5</sup> This research has received much encouragement from Robert I. Burns, S.J., whose readiness to welcome into the ranks of those working on Catalan history one who began in Norman and Hohenstaufen Sicily I enormously appreciate.



Mallorca mainly by way of the documents left by the merchants themselves, such as the commercial contracts for trade to and from Mallorca.

What I shall suggest here is that the Aragonese kings acquired a clearer view not merely of the commercial potential of Mallorca after 1229, but also of the inter-relationship between the economy of Mallorca and that of their other Mediterranean territories; having been acquired by means of a crusade in which mercantile considerations took second place, Mallorca eventually became a fundamental prop of an integrated trade network and of a system of political alliances. In addition, it will be seen that the economic role of Mallorca changed significantly in the course of the fourteenth century, as a result of wider regional economic changes, the most important of which was the greatly altered structure of demand that was created by the Black Death.

The integration of the Mallorcan economy into the commercial networks of the Catalan-Aragonese world was paralleled by the integration of the Majorcan state into the Catalan-Aragonese polity. It will be argued that this process was delayed, at times quite deliberately, by the creation of a separate Majorcan kingdom: for two-thirds of a century the Balearics were ruled by an independent dynasty of Aragonese princes, who were also lords of Roussillon, Cerdagne and the greater part of Montpellier, and who therefore pursued a policy of drawing together the mainland and island sectors of the kingdom into a coherent realm.<sup>6</sup> Peter the Great had opposed the creation of a separate Majorcan state under his father's will, and he moved rapidly to subject his younger brother, James II of Majorca, to his overlordship, in 1279. Under the terms of the agreement between Peter and James, the island and mainland territories of the kingdom of Majorca were treated as separate dependencies of Catalonia-Aragon; their ruler was, in effect, a powerful count with an especially grand title. Yet the kings of Majorca did not cease to assert their complete independence, using more circumspect means, at times, than the overt rejection of Aragonese claims to suzerainty; namely, the establishment of tariff barriers between Majorcan and Catalan territories; the creation of Majorcan consulates overseas; the inception of an independent foreign policy in the Maghrib; the establishment of a Mallorcan

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<sup>6</sup> David Abulafia, "The Problem of the Kingdom of Majorca. 1. Political Identity," *Mediterranean Historical Review* 5 (1990): 150-68.

coinage in the Balearic islands, and later, with a disastrous political outcome, in Roussillon too.<sup>7</sup> Patent rejection of Aragon's overlordship was likely to have severe consequences: the cooperation between James II and the king of France during the French crusade against Aragon resulted, not surprisingly, in the seizure of the Balearic islands from James by Peter and Alfonso of Aragon; the overt breach of almost all the terms of the agreement of 1279 by James III, around 1340, resulted in the final absorption of the kingdom of Majorca into the lands of the Crown of Aragon.

While stressing the importance of control of Mallorca in the political programme of the late fourteenth-century Aragonese kings, sight must not be lost of its importance as a center for maritime trade far beyond the areas of Catalan-Aragonese influence.<sup>8</sup> Sea links were forged with England by 1281, with Atlantic Morocco around the same time, and with the ports of the Levant. It will be argued here that it was no more than the strategic position of the Balearics that first drew western merchants to Mallorca, and the development of the islands as a source of locally produced commodities, notably salt and wool, was the result, rather than the cause, of its initial commercial success. The Balearics themselves could not meet their own food needs, though there were exports of oil and figs in the thirteenth and fourteenth centuries; by the fifteenth century olive oil was a massive export.<sup>9</sup> The prime exportable resource of the Balearics lay on the third island, and was the famous salt of Ibiza, which probably grew in importance between the thirteenth and the fifteenth century.<sup>10</sup> Mal-

<sup>7</sup> Antoni Riera Melis, *Las repercusiones arancelarias de la autonomía balear (1298-1311)*, vol. 1 of *La Corona de Aragón y el reino de Mallorca en el primer cuarto del siglo XIV* (Madrid/Barcelona, 1986); see also his article "El regne de Mallorca en el context internacional de la primera meitat del segle XIV," *Homenatge a la memòria del Prof. Dr. Emilio Saenz* (Barcelona, 1989), 45-68, which takes a more pessimistic view than I do of the kingdom's coherence: see my studies in the *Mediterranean Historical Review*; idem, "Mallorca 1298-1311, un ejemplo de 'planificación económica' en la época de plena expansión, *Miscelánea en honor de Josep Maria Madurell i Marimon*, in *Estudios Históricos y Documentos de los Archivos de Protocolos*, 5 (1977): 199-243.

<sup>8</sup> From a Spanish perspective, see in the first instance F. Sevillano Colom, "Mercaderes y navegantes mallorquines. Siglos XIII-XV", in *Historia de Mallorca*, ed. J. Mascaró Pasarius (Palma de Mallorca, 1978), 8:1-90; F. Sevillano Colom and J. Pou Muntaner, *Història del port de Palma de Mallorca* (Palma de Mallorca, 1974); to which should now be added A. Santamaría, *Ejecutoria del reino de Mallorca* (Palma de Mallorca, 1990).

<sup>9</sup> A. Santamaría, "El reino de Mallorca en la primera mitad del siglo XV," IV *CHCA*, 25-6.

<sup>10</sup> J. C. Hocquet, "Ibiza, carrefour du commerce maritime et témoin d'une

lorca's textile industry came into its own more slowly than that of Barcelona; there are references to an incipient cloth industry around 1304 and in 1321, but the island was not a particularly important supplier of finished cloths before the middle of the fourteenth century;<sup>11</sup> thus it did not possess the importance of Sicily and Sardinia as an exporter of agricultural products, nor had it yet acquired the importance of Florence and Barcelona as an exporter of industrial goods. What we are looking at is the transformation during the fourteenth century of a commercial entrepôt into a center of production. Interestingly, this resulted around 1400 in the reaffirmation, and not the loss, of the island's role as entrepôt, just at a time when another major center of Catalan trade, Barcelona, was finding it increasingly difficult to maintain its own position.

It is fortunate that a series of snapshots of the state of Mallorcan trade can be provided from a wide variety of sources, public and private. The notarial registers of late twelfth-century Genoa give the first clues to Mallorca's value in international trade; similar material, this time preserved in Mallorca, illuminates the trade networks out of Mallorca in the 1240s; the trade contracts of Marseilles provide unusually detailed information on the commodities carried to and from Mallorca in the thirteenth century; a remarkable set of licences for merchants and seamen wishing to leave the island in 1284 conveys important information about links to the Maghrib; in the 1320s, 30s and 40s the government records of Mallorca include the tax lists of incoming ships, foreign and Mallorcan, and from the same period there survive in Mallorca records of Pisan trade, of licences to export monitored goods, and a rich set of commercial contracts preserved in a notarial register of 1340. At the end of the fourteenth century the massive archive of Francesco Datini of Prato provides well over ten thousand letters concerning Mallorca (apart from other documentation); and for the early fifteenth century we have the registers of the notary Anthoni Costanti, analysed by Pierre Macaire.<sup>12</sup>

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conjoncture méditerranéenne (1250–1650 env.),” *Studi in memoria di Federigo Melis* (Naples, 1978), 1:493–526; Riera, 36.

<sup>11</sup> Marcel Durliat, *L'Art dans le royaume de Majorque* (Toulouse, 1962), 38; Santamaría, *Reino de Mallorca*, 29.

<sup>12</sup> The following are the principal archives which have been exploited in the preparation of this article: ARM; ACP; ASP. In addition, archival material from Genoa and Marseilles has been under consideration.

## II

The first theme that needs to be examined is the role of non-Mallorcans in the island's trade: the involvement of Latin merchants in the Balearics even before the Catalan conquest; the effect of a Catalan-Aragonese victory on the trading interests of the north Italian and Provençal merchants; the gradual emergence of the Catalans of Barcelona and Mallorca as the leading operators out of the port of Mallorca.

The first clear indication of active trade between Mallorca and Latin Europe comes in the register of Oberto de Mercato, notary of Genoa, dealing with Fall, 1182. This is a period of special interest, just following a failed Sicilian invasion of Mallorca, and a decision by the Genoese not to participate in the campaign but to confirm past truces with the Muslim ruler of Mallorca; in 1181 the ruler of Mallorca solemnly promised not to permit interference with Genoese shipping, and the Genoese stated that they would not indulge in hostile acts against Mallorca.<sup>13</sup> The Genoese had in the past been involved in attacks on the Balearic islands, notably a raid on Menorca in 1146, which was itself a prelude to the siege of Almeria and of Tortosa in 1147–8, (the Pisans had, of course, actually conquered Mallorca and Ibiza briefly in 1113–15). There is also occasional evidence of trade with the Balearics, including Ibiza, in the oldest notarial register, that of Giovanni Scriba (1154–64).<sup>14</sup> The Genoese had evidently settled into a cooperative relationship with Mallorca by the 1180s, and the reason was almost certainly the value the island possessed in gaining access to the ports of the Maghrib a hundred and fifty miles to the south: hence, indeed, the emphasis in their agreement of 1181 on the safe passage of Genoese and Mallorcan ships in the western Mediterranean. But it is surely no coincidence that the acts of Oberto de Mercato contain ten contracts for Mallorcan trade in 1182, alongside half a dozen for Bougie, to which access would be gained via the Balearics.<sup>15</sup> In fact, the prominent Genoese

<sup>13</sup> For the text of the treaty of 1181, see L. de Mas Latrie, *Traité de paix et de commerce et documents divers concernant les relations des Chrétiens avec les Arabes de l'Afrique septentrionale au Moyen Age* (Paris, 1866), 2<sup>e</sup> partie, 109–13, and P. Guichard, *L'Espagne et la Sicile musulmanes aux XI<sup>e</sup> et XII<sup>e</sup> siècles* (Lyons, 1990), 181–3.

<sup>14</sup> David Abulafia, *The Two Italies. Economic Relations between the Norman Kingdom of Sicily and the Northern Communes* (Cambridge, 1977), 104–5, 111.

<sup>15</sup> For what follows see ASG, Cartolare notarile 2, ff. 1r–34v (Oberto Scriba de

merchant Enrico Trencherio was investing money both in Mallorca and in Bougie that year.<sup>16</sup> There are also twenty-three contracts in 1182 for Ceuta, on the route to which Mallorca would have been a half-way stop: the merchant Anselmo Rivario invested Gen. £28.13.4 in Mallorcan trade and a further £20 in Ceuta, making plain the links between business in the Balearics and business in the Maghrib;<sup>17</sup> no other Spanish port is mentioned in these contracts, so a route Genoa-Mallorca-Morocco seems very likely to have been standard. There was certainly active business along the route Mallorca-Ceuta around 1240. What is striking about the contracts of 1182 is the high standing of the investors; in part this reflects the distinguished clientele of the notary Oberto de Mercato, but to the modern observer it is a valuable indication that Mallorca was on the map as far as leading merchants were concerned: the wife of Fulco de Castello and Ansaldo de Mari were both members of top families, while Oglerio Vento was several times consul and had a stake in the lucrative grain trade out of Sicily.<sup>18</sup>

The upsurge in contracts in 1182 was a temporary response to the treaty of 1181, which was renewed in 1188;<sup>19</sup> this happened so soon, in fact, that there may well have been some difficulties in implementing it which were felt to necessitate its reiteration and extension. The Almoravid regime in Mallorca had been under heavy pressure between 1184 and 1187; there were domestic revolts, there were rumors of a new Sicilian invasion, there was conflict with the Almohad rulers of North Africa. The Genoese must therefore have thought it in their best interests to reaffirm their support for what was now a tiny rump state, the last remnant, in fact, of the Almoravid Empire. The new treaty provided the Genoese with a warehouse in Mallorca, and it is arguable that this reveals that their trade had now become fairly substantial. There is a solitary contract for late summer 1184, when business recorded by Oberto de Mercato was dominated by trade to Syria and Alexandria; but the merchants involved were from prominent trading families (the Trencherio and

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Mercato 1182, unpublished), nos. 64, 127-8, 178, 181-4, 189-90; also Abulafia, *Two Italies*, 158; Erik Bach, *La Cité de Gênes au XII<sup>e</sup> siècle*, (Copenhagen, 1955) end tables (without pagination).

<sup>16</sup> ASG, Cart. 2, nos. 153, 184.

<sup>17</sup> ASG, Cart. 2, nos. 51, 127.

<sup>18</sup> ASG, Cart. 2, nos. 64, 181-2; for Oglerio Vento, see Bach, 152-3.

<sup>19</sup> Mas Latrie, 113-5.

Lecanoce families) so it is likely that their investments formed part of a larger consignment of goods and money of which other records are lost.<sup>20</sup> In addition, that year saw a trade treaty between Pisa and the ruler of Mallorca.<sup>21</sup> But there are no contracts for Genoese trade in Mallorca from 1186, otherwise quite a well documented year. The reaffirmation of ties in an enhanced set of privileges two years later is reflected in the records from 1190. Some evidence exists for trade there in early 1190, when investors included the wealthy Levant trader Baiamonte Barlaira, described by Erik Bach as “*un très grand capitaine*,” though he was apparently not of patrician origins.<sup>22</sup> The notary Guglielmo Cassinese records a trip to Mallorca in late 1191, in which five investors, including one or two women, placed funds. What is perhaps more important is that 1191 saw intense trade between Genoa and the whole Maghrib, notably Bougie, much of which must have passed through Mallorca.<sup>23</sup>

The open question is where the Catalans fit in. Of some importance is a solitary published commercial document from Tarragona indicating trade with Mallorca in 1187. Bertran Català is found declaring that he owes a certain Bernat a hundred golden *massamutini* and ten golden *morabetini*, which he will repay as soon as possible after his arrival in Mallorca; this forms part of a larger consignment of 400 *massamutini*.<sup>24</sup> Too much need not be made of the use of Muslim monies here, since there is no certainty that the original investment consisted of gold coins; it could very likely have been a cargo of unnamed goods, or a quantity of silver, which were to be sold or exchanged for gold coins. This partial silence is typical of *cambium* contracts of the period, and often reflects the wish to avoid accusations of usury. Nevertheless, the charter does suggest quite an active trade from Tarragona to Mallorca at this point. The obvious parallel is with the Barcelona merchant En Pere Martell, who also operated out of Tarragona, and who told the king of Aragon, on the eve of the invasion of Mallorca, that he had traded there in the past, though not, apparently, with very great frequency. The impression remains

<sup>20</sup> ASG, Cart. 2, f. 84r, no. 2; Abulafia, *Two Italies*, 161.

<sup>21</sup> Mas Latrie, 367–73.

<sup>22</sup> Bach, 70 and 119–22.

<sup>23</sup> For an overview, see Bach, end tables, and Abulafia, *Two Italies*, 174, 182.

<sup>24</sup> A. García i Sanz and M. T. Ferrer i Mallol, *Assegurances i Canvis marítims medievals a Barcelona*, 2 vols. (Barcelona, 1983), 2:306, no. 2.

that the Catalans were not a very powerful force in Mallorcan trade even in 1229.

In the twelfth century it seemed that, if any Christian power were to seize Mallorca, it would be with the help of Italian fleets, whether Pisan, Genoese or Sicilian. But in 1229 it was a Catalan fleet, strongly backed by allied fleets from southern France and Provence, where Aragonese influence and even lordship was extensive, that led the successful invasion.<sup>25</sup> To some extent the event symbolized the emergence of Barcelona as a viable competitor against better established Italian rivals. And yet, according to the late thirteenth century chronicler Bernat Desclot:

these men of Genoa and Pisa gave to the [Muslim] king of Majorca evil counsel for their own ends. And they did this with no other purpose than that they might the better buy and sell and barter their wares and that the Catalans should not dare venture on the sea.<sup>26</sup>

The Aragonese king was afraid that the Italians would ally with the irredentists if he did not treat them well. The Genoese and Pisans were awarded some lands, plus generous commercial privileges.<sup>27</sup> In 1230 Andrea Caffaro of Genoa was in Mallorca, explicitly aiming to recover old rights attributed to Ramón Berenguer IV in 1146 and 1153; the Pisans too expected, and gained, confirmation of the commercial privileges they had possessed under Muslim rule. Some evidence exists for Pisan trade in Mallorca around 1247; characteristically, Pisa provided access to the island for other Tuscans too, such as Ser Doto of Florence, who owned a ship.<sup>28</sup>

For their part, the Genoese obtained property in Ciutat de Mallorca, including a church and enough land to support five priests, and in 1233 they were granted the long-lasting *lonja dels genovesos*, by which time they had become a self-governing community with their own consuls.<sup>29</sup> The Italians were thus, in a sense, rewarded for being

<sup>25</sup> A useful account of the conquest of Mallorca is that of F. Fernández-Armesto, *Before Columbus. Exploration and Colonisation from the Mediterranean to the Atlantic, 1229-1492* (London, 1987), 13-22.

<sup>26</sup> Bernat Desclot, cap. 14.

<sup>27</sup> Sevillano, "Mercaderes," 62-4; A. Santamaría, "La reconquista de las vías marítimas," *Actas del Iº Congreso internacional de Historia mediterránea*, in *AEM* 10 (1980): 55-7; C. E. Dufourcq, "Aspects internationaux de Majorque durant les derniers siècles du Moyen Âge," *Mayurqa* 11 (1974): 6-7, 13-7.

<sup>28</sup> Santamaría, *Ejecutoria*, 620-1, no. 36.

<sup>29</sup> Santamaría, "Reconquista," 56.

on the wrong side. However, the new relationship did not prove easy at first, and in 1246–7 there is evidence of royal reprisals against the Genoese in Mallorca.<sup>30</sup> The Genoese in particular were to maintain a presence in the island's trade irrespective of the constant worsening of political relations between the Catalans and the Genoese. In part this was because Genoa was so faction ridden that you could always find some Genoese who sympathized with Aragon; but mainly this was the result of the increasing importance of the Balearics as a point of transit to Africa and the Atlantic, and, eventually, as a source of salt and other goods. Even in the fifteenth century the Genoese were able to ignore their violent differences with Alfonso the Magnanimous and to trade in Mallorca and Ibiza, where apparently they were tolerated.

Not surprisingly, the allies of the king of Aragon also received commercial rewards: Marseilles received 297 houses in the capital, as well as lands outside, and the success of its trade in Mallorca is revealed in the commercial documents from thirteenth-century Marseilles. The Manduels, merchant princes of Marseilles, acquired one of the houses in Ciutat de Mallorca; in 1244 they renewed for a further six years a lease held since 1240 by another Provençal merchant on this *logerio seu pensione illius honoris Mayoricharum*.<sup>31</sup> In fact they allowed the rent to fall from £25 of Marseilles to £15. Maybe this implies that business was not as good as had at first been hoped, but the Provenaux responded rapidly to the opportunities presented by the need to provision the newly conquered territory. In Narbonne on September 4, 1233 Pere de Puig or Delpech of Marseilles bound himself by contract to carry grain worth £60 of Melgueil from Narbonne to Mallorca (*Malorgas*) on behalf of a leading Provençal merchant, Bernard de Manduel; he was to buy goods in Mallorca and bring them to Marseilles.<sup>32</sup> The same Pere de Puig carried cloth valued at £100 of Marseilles money from Marseilles to Mallorca in 1235.<sup>33</sup> Around the same time Bernard was claiming the return of some cloth and of £38 of money of Marseilles, the latter of which at least had recently been sent in trade to Mallorca.<sup>34</sup> After Bernard's death,

<sup>30</sup> Santamaria, *Ejecutoria*, 610–1, 614–5, nos. 25, 29.

<sup>31</sup> *Documents inédits sur le commerce de Marseille au Moyen Age*, ed. L. Blancard, 2 vols. (Marseilles, 1884–5) 1:249–51; Manduel, doc. 146.

<sup>32</sup> Blancard, 1:56, Manduel, doc. 41.

<sup>33</sup> Blancard, 1:92–3; Manduel, doc. 63.

<sup>34</sup> Blancard, 1:83–4; Manduel, doc. 58.



Petrus de Podio de Blancquaria (to give his full Latin name) still had outstanding debts arising from his cloth-bearing expeditions to Mallorca on Bernard's behalf, as a document of March 1239 makes plain.<sup>35</sup> The impression is that Pere was a draper specializing in the cloth trade to Mallorca, but he was not averse to taking other goods there too.<sup>36</sup>

The plentiful acts of the Marseilles notary Amalric, of 1248, concentrate heavily on business linked to St. Louis' crusade, but here too Mallorca is represented in interesting ways. Not unusually in Marseilles, we see Jews and Christians working together in trade. A certain Bonisaac Ferrusol, a member of a prominent Jewish trading family, acted as agent for several Christian and Jewish investors trading to or through Mallorca around the end of May 1248.<sup>37</sup> Brazilwood, cloves and muscat were sent with him from Marseilles to Mallorca and the Maghrib on the ship of Domnec Esfont;<sup>38</sup> he also carried linen cloth worth £28.10.0 and a sum of money southwards either to Mallorca or to Algiers or to Tunis.<sup>39</sup> In fact, the Ferrusol family had a record of wider contact with the Maghrib, and their Mallorcan trade fits neatly into the argument that those who traded intensively with the island also had major commitments in North Africa. Nor was Domènec Esfont the only ship's master bound for Mallorca. In early June, the Lucchese merchant Rolando Vendemmia entered into a *societas* contract with another Lucchese and promised to take £32 to Mallorca on the ship of Guglielmetto de Nervi, apparently a Genoese; the same merchant was also trading towards Montpellier at this time.<sup>40</sup>

Of particular importance is a document of 1296 concerning a galley master, Guillem Franc, against whom a law suit had arisen. The master insisted on having a copy made of his bill of lading for two journeys made in 1289 from Marseilles and Aigues-Mortes to Mallorca, and conducted, apparently to their displeasure, on behalf of a

<sup>35</sup> Blancard, 1:128-9; Manduel, doc. 85.

<sup>36</sup> Blancard, 1:227, 231, 380-4; 2:259-60; Manduel, docs. 138, 139; Amalric docs 284, 927, and also 348, 351, 365, for other references to this figure.

<sup>37</sup> For this family, see John Pryor, *Business Contracts of Medieval Provence. Selected Notulae from the Cartulary of Giraud Amalric of Marseilles, 1248* (Toronto 1981), 86-7.

<sup>38</sup> Blancard, 2:204, 206-7; Amalric, docs. 807, 815.

<sup>39</sup> Blancard, 2:205-6; Amalric, docs. 810, 814.

<sup>40</sup> Blancard, 2:231-2; Amalric, docs. 870-1. On the other hand, the factors of another Marseilles merchant cancelled their plans to travel to Mallorca and Barbary in late July 1248: Blancard, 2:306; Amalric, doc. 1023.

group of merchants of Piacenza, Genoa and Marseilles. The Piacenzans loaded pepper, lac and *porcellanas* (of which more shortly). On the first journey, Provençal merchants placed wine, lac, incense, cinnamon and porcellanas on board; a Pisan added some more wine, lac, cloves, aspic and similar luxuries. On the second voyage the cargo was rather more varied, since a moderate amount of cloth, some ginger and some coral were also included. These commodities are what one would expect to find on a galley: smallish consignments of high value goods. Interestingly, they are being shipped out from a European entrepôt back towards the outer edge of the Latin world. The spices would have arrived in Marseilles directly from the Levant for redistribution.

Special interest attaches to the commodity labelled *porcellanas*; this has been understood to mean pottery, but it appears to be an anachronistic translation into porcelain of a term which derives from the word for cowrie shells. These small shells apparently derived their name from their broad similarity to the shape of piglet's back. Such shells were seen by Marco Polo in China (*porcellani*), and they were still known as *porcelains* in eighteenth-century Marseilles. The *porcellane* were packed in tubes similar to those used for pepper: hardly the way to pack ceramics. Cowrie shells from the Maldive islands were certainly carried by Venetian shippers in the late Middle Ages, who transported them most probably from Alexandria westwards, for despatch to Africa, where they resumed their Indian Ocean use as a means of exchange.<sup>41</sup> For the Latin merchants, the sale for specie of humble cowrie shells in north Africa was literally a golden opportunity.<sup>42</sup>

The same document carries information about what was loaded in Mallorca for both return journeys; most of the items are luxury or semi-luxury goods typical of Spain and the Maghrib: the red dye-

<sup>41</sup> J. Hogendorn and M. Johnson, *The Shell Money of the Slave Trade* (Cambridge, 1986), 15–6.

<sup>42</sup> If anything, Mallorca exported pottery to the Latin west, at least in the eleventh century: David Abulafia, "The Pisan *bacini* and the medieval Mediterranean economy: a historian's viewpoint," *Papers in Italian Archaeology 4: The Cambridge Conference*, vol. 4, *Classical and Medieval Archaeology*, ed. C. Malone and S. Stoddart (Oxford, 1985): 291, repr. in idem, *Italy, Sicily and the Mediterranean*. Though the reason why *maiolica* was named after the island when it was actually produced in Valencia and Andalusia remains a puzzle; it is generally assumed to be further testimony of the ready availability of a wide variety of western Mediterranean goods in late medieval Mallorca.

stuff known as *grana*, indigo, paper, fine leather, cow-hides, cheeses, dates, figs, cumin, wax. A significant amount of alum and more cloves also figure. On each return trip, the owners of the cargoes were all or mainly from Piacenza and Genoa, and there were some distinguished merchants involved: Antonio Brancaleone of Genoa, on the first trip; Percivallo di Mari on the second.<sup>43</sup>

The Piacenzans were clearly well organised in trading companies, to judge from the bill of lading just examined. However, the Majorcan kings were also capable of turning on them and other wealthy foreigners. They joined with the business community of Barcelona in trying to impede the installation of medium-sized Italian banks of Florence, Siena, Lucca and Piacenza, while at the same time welcoming the great Florentine firms, the Bardi, Peruzzi and Acciaiuoli, whose credit was too valuable to ignore. What has been called a *batalla del proteccionisme* was waged, but the Majorcan effort cannot have been very successful: decrees expelling the Italians were reiterated often enough to leave the impression that they were barely heeded. The first decree, of 1269, followed closely on one issued four years earlier in Barcelona, but even when Majorca was under the rule of its own dynasty the Italian bankers remained under suspicion, at least until 1327.<sup>44</sup> To some extent, this series of edicts may reflect a dislike for usury, but the main motive was clearly the desire to ensure that local, or at least Catalan, merchants retained their primacy in the financing of commercial enterprises.

### III

The argument here that Mallorca was valued as a transit point rather than for its own commodities is confirmed by the readiness of Popes Gregory IX and Innocent IV to permit the Catalan settlers in Mallorca to trade with the Maghrib, on the grounds that otherwise they would lack a livelihood. We thus have the paradox that a crusader conquest

<sup>43</sup> Other evidence shows a trade in incense and *porcellanas* from Marseilles to Mallorca (also in 1289, but on another ship): Blancard, 2:443; *Pièces commerciales diverses*, doc. 70.

<sup>44</sup> Sevillano, "Mercaderes," 66; Santamaría, "Reconquista," 58; M. T. Ferrer i Mallol, "Els italians a terres catalanes (segles XIII-XV)," *Actas del Iº Congreso internacional de Histria mediterranea*, in *AEM* 10 (1980): 396; Dufourcq, "Aspects internationaux," 16-8.

depended for its continued existence on the infidel. An early text now preserved in the cathedral archive at Barcelona indicates how very quick the Catalans were in realising the potential of Mallorca: on June 26, 1231, in Mallorca, Arnau Guillem, who worked in the cotton industry, received nine solidi to be carried to Barcelona on the galley of Berenguer de Poses.<sup>45</sup> Less than a year later Arnau Eimeric and Ramon Agramunt entered into a trade partnership for trade from Catalonia to Mallorca; the former was patron of a small ship, a *barcha*.<sup>46</sup>

The fortunate survival of Mallorcan commercial contracts from the very years when the popes were ceding this point reveals that North Africa, newly conquered Valencia City and al-Andalus were the preferred destination of the earliest Catalan merchants in Mallorca.<sup>47</sup> Evidence is provided in these acts of a cloth trade towards Algiers;<sup>48</sup> in August 1241 two brothers arranged a trading voyage to *Yspaniam* (probably Muslim Spain) or to Sabut, that is, Ceuta.<sup>49</sup> Several other ships are identifiably bound for *Yspania* at this juncture; other merchants were about to depart for Ceuta, which had already emerged as a major center of Genoese trade.<sup>50</sup> Grain bound for Ceuta and Bougie passed through Mallorca in the 1240's.<sup>51</sup> Shipping moved from Tortosa to Mallorca and then via Ibiza to Algiers or Bougie.<sup>52</sup> This trade was also conducted by Muslims on board Catalan vessels: Acmet Abenyequir hired half a ship; he came from Alicante, and the ship he was interested in was owned by a mainland Catalan, Bernat de Quart, of Sant Feliu; it was to sail from Alicante to Algiers or Bougie.<sup>53</sup> Links to north Africa were further consolidated by the

<sup>45</sup> García and Ferrer, 2:311–2, no. 8.

<sup>46</sup> Ibid., 2:312–3, no. 9.

<sup>47</sup> The documents are scattered in the notes to Sevillano, *História del puerto*, and are mainly transcribed from ARM, Prot. 342. More recently, Alvaro Santamaría has published several dozen more of these texts in the appendices to his *Ejecutoria*.

<sup>48</sup> Sevillano, *História del puerto*, 449, n. 236; Santamaría, *Ejecutoria*, 583, no. 1.

<sup>49</sup> Sevillano, *História del puerto*, 449, n. 238; cf. 449, n. 237 for a contract for trade in *Yspaniam* and Valencia on the same ship.

<sup>50</sup> Ibid., 449–50, nn. 239–41; cf. Santamaría, *Ejecutoria*, 423, 425 for the arming of pirate ships on this route at the same period; also Santamaría, *Ejecutoria*, 597–8, no. 13, for the ransoming of Christian and Muslim captives in Ceuta.

<sup>51</sup> Santamaría, *Ejecutoria*, 609–10, 632, nos. 24, 45.

<sup>52</sup> Ibid., 619–20, no. 35: it is not certain the ship arrived directly from Tortosa, but the captain and his business partner came from there.

<sup>53</sup> Ibid., 639–40, no. 51 (29 December 1247). It is uncertain from the text whether the ship was to begin its voyage from Mallorca or from Alicante; most likely the captain was to sail from Mallorca to Alicante, there to load Acmet's cargo.

treaties arranged by James I with several Maghribi rulers; even where the aims were the assertion of Aragonese political influence in Tlemcen and its neighbours, there were major benefits for Majorcan as for other Catalan merchants.<sup>54</sup>

As well as Mallorca, Menorca and Ibiza were exploited from the start by Catalan businessmen. There were exports towards Valencia of butter from Menorca (*unum quintalium butiri de Minorica*) and of *mantega*, which could be butter or perhaps another animal fat.<sup>55</sup> The latter document is important because it shows Catalan and Muslim merchants working very closely in conjunction: Jacobus de Abennacer, that is, Yaqub ibn-Nasser, gives the *mantega* in *commenda* to Bernat de Dana, who will sell it on his behalf in Valencia.<sup>56</sup> A similar picture obtains for the Jews of Mallorca. In one contract of the 1240's, Menorca is cited as one of several viable destinations alongside Denia, Alicante and the Maghrib.<sup>57</sup>

Links were also rapidly developed with areas of the western Mediterranean under Latin rule. Sicily makes its appearance early: on one occasion a baptized black slave named Bernard was placed on board a passing Valencian ship, with a view to selling him in Sicily;<sup>58</sup> on another occasion a merchant from Tortosa agreed to take a female black slave from Mallorca to Sicily.<sup>59</sup> Elsewhere we see a merchant who originated in Marseilles, Porcellus de Marcilia, taking six pounds of money of Melgueil to Valencia to be invested in *sarracenis et sarracenabus*, Muslim slaves, a very important commodity throughout the trading history of Catalan Mallorca.<sup>60</sup> As elsewhere in the Catalan trading world, the handling of cloths was a major source of

<sup>54</sup> Paris, Bibliothèque Nationale, MS lat. 9261, no. 8; Mas Latrie, 280–4 (a treaty of 1271 between James I and the ruler of Tunis) and 187–8, which is a confirmation by James II of Majorca of 1278; other treaties binding the kings of Majorca to north African rulers are known from 1313 (Tunis) and 1339 (Tlemcen): Paris BN MS lat. 9261 nos. 29, 37; Mas Latrie, 188–95.

<sup>55</sup> Sevillano, *História del puerto*, 454, nn. 295, 298; in modern Spanish a distinction is generally made between *manteca*, indicating lard, and *mantequilla*, indicating butter. See also for Valencia Santamaria, *Ejecutoria*, 589–90, no. 7.

<sup>56</sup> See Santamaria, *Ejecutoria*, 217–20, for the career of the Muslim businessman Johannes Abennasser. See Santamaria, *Ejecutoria*, 630–1, no. 44, for a safe conduct issued in Mallorca for two Saracens (one from Murcia) and their goods (10 October 1247).

<sup>57</sup> *Ibid.*, 595–6, no. 11.

<sup>58</sup> *Ibid.*, 599, no. 14.

<sup>59</sup> *Ibid.*, 618–9, no. 33.

<sup>60</sup> Sevillano, *História del puerto*, 454–5, n. 299.

profit: woolen cloths of Lerida,<sup>61</sup> linen cloths of Játiva,<sup>62</sup> the famous white cloths of Narbonne,<sup>63</sup> and of course the prestigious cloths of Flanders and northern France.<sup>64</sup> Such items were collected together by merchants in Mallorca for redistribution to Tunis and elsewhere; in April 1247 Joan de Bas arranged to take a mixture of Provençal and Flemish cloths from Mallorca to Tunis.<sup>65</sup> Another Provençal product that passed through Mallorca, bound (for instance) for Naples was iron.<sup>66</sup> In addition, there were frequent voyages to Barcelona by Mallorcan captains.<sup>67</sup> Charters in the cathedral archive in Barcelona also show that city's merchants playing an active role on the route to Mallorca in the 1260s and 1270s; they included members of the prominent trading family of de Banyeres and the eminent cloth merchant Bernat de Fonts, whose agent Joan Hom-de-deu is found in Mallorca arranging business bound for Barcelona in 1267.<sup>68</sup> A few years earlier Joan Hom-de-deu was based in Montpellier, again as agent for Bernat de Fonts; his career speaks for a whole network of trading connections in the western Mediterranean, linking southern France and Catalonia to the Balearic islands.<sup>69</sup> Collioure, later to be the prime port of Majorcan Roussillon, was already emerging as a

<sup>61</sup> Santamaría, *Ejecutoria*, 401: Berenguer Ferrer de Milan sells a piece of green cloth of Lerida in February 1242; in November of the same year P. de Santa Coloma promises another person a Leridan tunic in the style of Arras (both from *ARM*, prot. 342).

<sup>62</sup> *Ibid.*, 401: twenty linen cloths of Játiva and four other 'Saracen linen cloths' are sent *in commenda* to Ceuta (November 1242; Prot. 342); more Játiva cloth is sent on a ship of Marseilles to Ceuta, Málaga or Morocco (January 1246; Prot. 346).

<sup>63</sup> *Ibid.*, 401: in April 1240 a debt is stated for two pieces of white cloth of Narbonne; in August 1241 the Jew Solomon of Sijilmasa (in Africa) sells a similar amount of the same cloth at a higher price (both Prot. 342).

<sup>64</sup> *Ibid.*, 402: in January 1243 'stamfort' cloth of Arras and St Omer is sent from Mallorca to Oran; in September 1342 cloth valued at 480 solidi arrives from Ghent and is reclaimed (both Prot. 342).

<sup>65</sup> *Ibid.*, 617-8, no. 32.

<sup>66</sup> *Ibid.*, 619, no. 34 (11 April 1247).

<sup>67</sup> *Ibid.*, 629, no. 42 (30 Sept. 1247): an interesting document which reveals the mechanism whereby wheat and barley reached Mallorca. One party, Simon de Mari, may well be Genoese.

<sup>68</sup> M. Madurell Marimón and A. García Sanz, *Comandas comerciales barcelonesas de la baja edad media* (Barcelona, 1973), nos. 8, 32; García and Ferrer, *Assegurances i Canvis*, 2:316-7, 321, nos. 12, 16 (Joan Hom-de-deu); David Abulafia, "Catalan merchants and the western Mediterranean, 1236-1300: Studies in the notarial acts of Barcelona and Sicily," *Viator* 16 (1985): 217; repr. in *idem, Italy, Sicily and the Mediterranean, 1100-1400* (London, 1987). I am deeply grateful to Fr. Burns for encouraging me to write that article, and for helping me to publish it.

<sup>69</sup> Abulafia, "Catalan merchants," 217, n. 36; *Comandas*, nos. 7, 14, 15.

useful point of contact with the Catalans of the mainland, for it gave easy access to the land routes across southern France.<sup>70</sup> By 1240 Mallorca already appears to have been exporting significant amount of figs to southern France.<sup>71</sup>

The creation of the autonomous kingdom of Majorca strengthened several of these links, but weakened others. In the early days of the independent kingdom, trade with Barcelona continued unimpeded. Thus in 1280 Maria, widow of the successful Barcelonese entrepreneur Pere de Malla, sent from Barcelona to Mallorca ten jars of oil, as well as fustians of various colors and silk, on the ship of Pons Calafat of Mallorca, expecting wax, a major African export, to be sent from the island in return.<sup>72</sup> A century or so later, Mallorca functioned as a clearing-house for African wax.

However, the War of the Vespers resulted in a distortion of the Balearic trade routes, since the alignment of the king of Majorca with France and the papacy made direct contact with Catalonia and Valencia dangerous; James II of Majorca was, indeed, to lose the Balearics as a result of his links to France, between 1285 and 1298. The effects of the crisis are visible already in a series of licences to leave the port of Ciutat de Mallorca dating from the winter of 1284.<sup>73</sup> The Majorcan government insisted that each native merchant and sailor departing from the island should register his movements and promise to return by early summer; the growing conflict between France and Aragon brought the threat of an Aragonese invasion of the Balearics, as in fact occurred in 1285. Forty-two sailings can be identified from the licenses, and North Africa was by far the most popular trading destination, with thirty-one sailings, as compared to three for Seville and Ibiza, two for Valencia, one each for Collioure, Genoa and an unstated destination. The complete disappearance of Barcelona from the documents is striking, though one, possibly two, of the ships' captains appear to be Catalans of Barcelona; the Genoese

<sup>70</sup> Santamaría, *Ejecutoria*, 600–1, no. 16 (7 May 1243).

<sup>71</sup> *Ibid.*, 588–9, no. 6:200 quintals of figs bound for Montpellier.

<sup>72</sup> *Comandas*, no. 43; Abulafia, "Catalan merchants," 220–1; the wax may of course have been non-Mallorcan (say, from Africa).

<sup>73</sup> A. Riera, "La Llicència per a barques de 1284. Una font important per a l'estudi del comerç exterior mallorquí del darrer quart del segle XIII," *Faventia* 2 (1980): 53–73, published also in *Fontes Rerum Balearium* 3 (1979–80): 121–40; David Abulafia, "Les Llicències per a barques et le commerce de Majorque en 1284," *Mélanges C.-E. Dufourcq*, ed. Henri Bresc (forthcoming). Original text: ARM, RP 1105/1, Libro de licencias para barcas.

are the only foreign sailors mentioned in the licenses. Everything about these documents suggests that they reveal an abnormal situation created by the severe crisis in the western Mediterranean.<sup>74</sup>

No such licenses exist for other years, and some trading destinations, notably Sicily, which became important at the end of the century, are not listed in the licenses of 1284; Majorcan penetration of Sicily is well documented in the surviving Sicilian trade contracts of 1298–9, and it is not hard to see why: the reestablishment of the Majorcan kingdom under papal pressure in 1298 was an important step towards the pacification of the western Mediterranean, and Mallorca's own merchants were able to respond by building up trade in the latest Aragonese acquisition.<sup>75</sup> Considerable interest was shown in the provision of shipping services: Bernat Miquel of Mallorca rented out his ship the *Santa Maria de Nazaret* to Tuscan merchants who wished to ferry wheat from Sciacca in southern Sicily to Pisa, Genoa or another north-west Italian port.<sup>76</sup> In 1298–9 the Mallorcan shippers had a special importance, for direct trade links between Sicily and Barcelona were to all intents suspended, to the advantage of potential intermediaries such as the Mallorcans and the Genoese.<sup>77</sup> After the treaty of Caltabellotta in 1302 Mallorcan trade in Sicily seems to have intensified, partly because the routes to Barcelona were now open as well: a contract recorded by the Sicilian notary Bartolomeo da Citella in January 1309 reveals the transport of a sizeable quantity of raw cotton, raw wool, pepper, sugar, cinnamon, cowhides, salted meat, sulphur, butter and other items from Palermo and Trapani to Mallorca and Barcelona.<sup>78</sup> Mallorcans were entering into contracts with Tuscans and mainland Catalans, and the wheat trade from Termini Imerese to Genoa and to Africa was partly in their hands.<sup>79</sup> Sicilian cheese was carried out of the island by Mallorcans.<sup>80</sup> It should,

<sup>74</sup> Riera, "La Llicència"; Abulafia, "Les Llicències."

<sup>75</sup> Abulafia, "Catalan merchants," 229, 235, 236–41.

<sup>76</sup> P. Gulotta, *Le imbreviature del notaio Adamo de Citella a Palermo (2° Registro: 1298–1299)*, Fonti e studi del Corpus membranarum italicarum, ser. 3, Imbreviature matricole statuti e formulari notarili medievali, 2 (Rome, 1982), no. 201; R. Zeno, *Documenti per la storia del diritto marittimo nei secoli XIII et XIV*, Documenti e studi per la storia del commercio e del diritto commerciale italiana, 6 (Turin, 1936), no. 45.

<sup>77</sup> Abulafia, "Catalan merchants," 233, for some of the dangers.

<sup>78</sup> Zeno, no. 152.

<sup>79</sup> Ibid., nos. 153–4, 164; the last document in fact blocks a shipment from Girgenti (Agrigento) to Tripoli in north Africa, but also indicates that Mallorcans wished to use this route. Others, such as the Genoese, meanwhile helped supply Mallorca with Sicilian grain: Zeno, no. 167.

<sup>80</sup> Ibid., no. 178.



however, be stressed that the kings of Majorca were less than sensitive to the new opportunities peace brought; the last years of James II of Majorca saw a vigorous attempt to assert the kingdom's autonomy in economic affairs. Having failed to emancipate Majorca from Aragon-Catalonia by an alliance with France, the king in about 1299 and in 1302 attempted to erect tariff barriers against mainland Catalan traders at Collioure and Ciutat de Mallorca (though political pressure meant that the barriers had to be removed by 1311);<sup>81</sup> he at last initiated a Balearic currency; he negotiated directly with North African rulers to establish Mallorcan *fonduks* alongside existing Catalan ones, much to the fury of the Catalan merchants and the king of Aragon. In the early fourteenth century there were independent Majorcan consuls in Bougie, Bône, Collo, Djidjelli and Constantine together, Tlemcen, Mansoura, Cherchel, Algiers, who were able to divert towards the Majorcan treasury funds that would in the past have gone to the king of Aragon.<sup>82</sup> One result of attempting to tax Catalan merchants was that they refused to trade through Mallorca; the policy was thus counter-productive.<sup>83</sup> The kingdom of Majorca could not become autonomous in its economic affairs.

#### IV

It is unfortunate that records of Mallorcan trade are so patchy in the first twenty years of the fourteenth century; it would be interesting to know how seriously Mallorcan trade suffered from the quarrels with Barcelona over the taxes imposed on Catalan merchants. The existence of the registers of the tax known as *ancoratge*, levied on incoming ships at Ciutat de Mallorca and at La Porassa, a station near the capital means that there is much more to be said about the 1320's and 1330's. These survive for 1321-2, 1324-5, 1330-3 and 1340-1. Ships of Mallorca (but not the mainland territories of the Majorcan kingdom) were exempt from the tax, but were nonetheless carefully listed; ships of Barcelona, but not of the rest of Catalonia nor of

<sup>81</sup> On this see the fundamental work of Riera Melis, *La Corona de Aragón*, and his articles cited in note 6.

<sup>82</sup> Charles Défourcq, *L'Espagne catalane et le Maghrib aux XIII<sup>e</sup> et XIV<sup>e</sup> siècles De la bataille de Las Navas de Tolosa (1212) à l'avènement du sultan mérinide Aboul-Hasan (1331)* (Paris, 1966), 420-2, 508, nn. 3, 519; *Documenta regni Majoricarum Miscelanea*, ed. J. Muntaner y Bujosa (Palma de Mallorca, 1945), 113-4.

<sup>83</sup> Riera Melis, *Corona de Aragón*, 181-255.

Valencia, were allowed a fifty per cent reduction in the *ancoratge* from the standard tax of eight *solidi* per *lley*. This actually meant that Barcelonian vessels were more favorably treated than those of Collioure or of the outports of Montpellier, which were, after all, attached to the Majorcan kingdom.<sup>84</sup> For Durliat, Dufourcq and others these documents can be used to show that the years around 1330 were the high point of Mallorca's medieval trade. This is certainly a dangerous assumption, since so many factors, notably the recurrent political crises in the western Mediterranean, as well as the constant scourge of piracy, resulted in sharp fluctuations in trade and the deflection of trade routes away from traditional destinations; moreover, there were significant changes in shipping capacity after the arrival in the Mediterranean of the Atlantic cog and its imitations. The *ancoratge* records have no late fourteenth-century or fifteenth-century counterparts in Mallorca, and, unfortunately, they therefore have to be used in isolation.<sup>85</sup>

A striking feature of the *ancoratge* records is the consistency of movement through Mallorca all through the year. The seasons had little effect on the rate of arrival of ships, and almost any month could rate as a busy one. Thus in the fiscal year 1321–2 there was a high of eighty-two arrivals in May 1321 and a low of thirty-three arrivals in January and February 1322; in 1324–5 there was a high of fifty-five in August 1324 and a low of twenty-seven in April 1324 (which had the second highest number of arrivals, fifty-six, in 1321–2). In 1340–1 figures oscillated between forty (November 1340) and seventy-four (March 1341).<sup>86</sup> The total figures (excluding the fragmentary year 1331–2) are 871 arrivals in 1321–2, 957 in 1324–5, only 745 in 1332–3, but 1094 in 1340–1.<sup>87</sup> These records were compiled with care, and there is no reason to suppose a very large number of

<sup>84</sup> ARM, RP 1097 (1321); RP 1098 (1324); RP 1099 (1331); RP 1100 (1332); RP 1101 (1340); RP 1102 (1330). Most of the examples cited here are from the earliest register, but the conclusions are drawn from my study of all six. The major discussion is that of Marcel Durliat and Joan Pons i Marqués, "Recerques sobre el moviment del port de Mallorca en la primera meitat del segle XIV," VI *CHCA*, 345–63.

<sup>85</sup> The status of mainlanders, especially Montpelliérains, posed difficulties, and in 1338–9 a detailed enquiry into the rights of Montpellier's merchants was launched: see Abulafia, "Problem of the Kingdom of Majorca. 2. Economic identity."

<sup>86</sup> A reference to the accounts of a collector of *ancoratge*, based at Porto Pi in 1276, is found in Santamaria, *Ejecutoria*, 644–5, no. 55; no details of the actual income are supplied. The next paragraphs necessarily repeat a few points made at greater length in my "Problem of the Kingdom of Majorca. 2. Economic identity."

<sup>87</sup> Durliat and Pons, 349 and Figure 1.

ships failed to be registered. On the other hand, local shippers from Menorca and Ibiza are almost certainly under-represented, since much of their trade passed through lesser ports along the coasts of Mallorca, such as Alcudia (for Menorca).<sup>88</sup>

It is also possible to gain some idea of the range of foreign contacts of the Balearic islands from the same records. Larger vessels, galleys and *tarides* rather than *llenys*, came occasionally from Marseilles. The Italian ships that reached Mallorca originated in Genoa, Pisa, Venice, Gaeta, Sicily and Sardinia, and included Flanders galleys; the Flanders ships were worthy enough of note to have their destination occasionally listed.<sup>89</sup> Typically, the Genoese appeared even when their republic was in conflict with the Aragonese, but they became more enthusiastic by 1340, when the war had come to an end.<sup>90</sup> Atlantic visitors appear occasionally, too: northern Spanish vessels assured intermediate stages on the sea link tying Italy and Mallorca; cogs of Santander and Castro Urdiales arrived each year in Mallorca, while visits by shipping from the Basque country (San Sebastian, Fuentarabía, Bayonne and other ports) were generally slightly more frequent. The high point was 1332–3, when seventeen northern Spanish and Basque ships are recorded, but 1330–1 was not far behind.<sup>91</sup>

By 1281 Mallorca's own ships also headed out of the Straits of Gibraltar both northwards to England and southwards to the western coast of Morocco; several trips to Anfa (modern Casablanca) can be identified in the early fourteenth century, but the antecedents may lie in much earlier trips beyond Ceuta, which long functioned as an entrepôt between Atlantic and Mediterranean Morocco.<sup>92</sup> By the 1340's they were visiting the Canaries, though not in the first instance for trade.<sup>93</sup> Links existed to Lisbon too.<sup>94</sup> Smaller ships could be used on the Moroccan routes, and it is likely that this was a more intensive trade than the risky Flanders connection, which suffered seriously from the interference of hostile fleets during the Hundred

<sup>88</sup> Ibid., 354.

<sup>89</sup> A number of Ibizan and Menorcan captains do appear, all the same, among the Mallorcans, notably in winter time when navigation between the islands may have seemed the safest option: see, e.g., *ARM*, RP 1099 (1331), f. 42r, for the barca of P. Gitart D'Ivissa, f. 42v for the *lley* of P. Sinta de Manorca, in December 1331.

<sup>90</sup> *ARM*, RP 1097, ff. 17v, 34v; RP 1098, ff. 5v, 6r.

<sup>91</sup> Durliat, *Art*, 39–40, for trouble with Genoa.

<sup>92</sup> The numbers are: 1321–2; 1324–5; 1330–1; 1332–3; 1340–1; see Durliat and Pons, "Recerques," 353–4.

<sup>93</sup> Dufourcq, 596–7; Abulafia, "Relacions comercials."

<sup>94</sup> Sevillano Colom, *História del puerto*, 166–9.

Years' War and during the naval conflicts between Genoa and its Catalan and Venetian foes.<sup>95</sup>

The *ancoratge* records are silent about what was in some respects the most important trade route to Mallorca, that linking it to the Maghrib. So well represented in the licences of 1284, this trade disappears from view in the *ancoratge* registers, since the shipping was all, or at least predominantly, Christian; Muslim-owned barques from Bougie simply never appear in the records, and destinations are rarely recorded. The *guiatge* records of 1341–2, listing licences to trade in strategic goods such as iron, make abundantly plain the continuing vitality of Mallorcan-controlled commerce with north Africa and Muslim Spain.<sup>96</sup> In 1341–2 38 out of 87 licenses were for trade with north Africa; Italy and Catalonia came some way behind with eleven licenses each; Valencia and southern France had nine; Sardinia six; but there were only two for Sicily and one for Castile.<sup>97</sup> Pisa is less well represented in the *ancoratge* records, but a separate collection of tax documents proves that Pisan shipping made intensive use of the harbor of Mallorca in some years at least.<sup>98</sup> These records show that Tuscan merchants were interested in figs, sweet grapes (*atzebib* or *zibibbo*, a type of muscat grape), honey, oil, almonds and a few other commodities that are likely to have originated in Mallorca, as well as several items, such as mastic, sulphur, African wool, pepper and sugar among commodities transshipped through the Balearic islands. Evidence already examined suggests that significant quantities of these goods arrived from Sicily; commodities were hawked around the western Mediterranean, and low bulk, high value items could be sent on to wherever the latest news indicated demand was greatest and prices were highest.<sup>99</sup> Textiles arrived from Italy, and the Pisans also brought alum, which was essential for the Catalan and Mallorcan cloth industries. Ibizan salt appears to have been a major attraction for Pisan merchants only after 1322.<sup>100</sup>

<sup>95</sup> An early piece of evidence for contact with Lisbon and Seville is García and Ferrer, *Assegurances i Canvis*, 2:339–41, no. 30.

<sup>96</sup> Abulafia, "Relacions comercials," 75.

<sup>97</sup> ARM, AH 4390, Llicències i guiatges, 1341–2; the most recent study is Pau Cateura Bennsner, "El comercio del reino de Mallorca con Cerdeña a traves de los guiatges," XIV *CHCA*, 1:169–90.

<sup>98</sup> Sevillano, "Mercaderes," 33.

<sup>99</sup> T. Antoni, *I 'partitari' maiorchini del Lou dels Pisans relativi al commercio dei Pisani nelle Baleari (1304–1322 e 1353–1355)*, Biblioteca del *Bullettino storico pisano* (Pisa, 1977), 10–26; also Dufourcq, "Aspects internationaux," 13–6.

<sup>100</sup> Compare Zeno, no. 152. The Datini letters, discussed below, provide good evidence for the hawking of goods.

Another source for the same period has recently come to light in the archives of the Cathedral of Palma. A notarial register of 1340, of nearly 170 folios, is almost completely taken up with shipping contracts, *commenda* agreements and other port business.<sup>101</sup> What is striking is, first, the importance of links to Cagliari and to the ports of western Sardinia (Oristano, Bosa and Alghero, a major source of coral).<sup>102</sup> The king of Majorca had supplied ships for the Aragonese invasion of Sardinia, and his subjects were rewarded with a commercial privilege.<sup>103</sup> It looks very much as if they seized the chance to intensify their trade with Sardinia thereafter, though there are some scattered records of such trade before then too.<sup>104</sup> Trade with Calabria reflects the closeness of ties with Naples, whose queen was a Majorcan princess; a route from Mallorca to Cagliari and then on to Calabria was sometimes used.<sup>105</sup> In 1325 King Robert confirmed the commercial and legal privileges of the merchants of the Majorcan kingdom.<sup>106</sup> But, as ever, north Africa appears to dominate traffic out of Mallorca. There are signs of trouble in the Maghrib in the documents that refer to the redemption of captive Mallorcans in the Maghrib.<sup>107</sup> Overall, the range of ports visited occasions few surprises: they are mostly those of the Abdalwahidid state around Tlemcen, though Morocco is represented with a voyage to Arzila.<sup>108</sup> Mallorcan merchants

<sup>101</sup> Antoni, 13–4, 20–3.

<sup>102</sup> ACP, 14564 (Francesc Batlle). On this see Durliat, *Art*, 363. I should like to record my special thanks to Professor Jocelyn Hillgarth and to the Cathedral Chapter of Palma for arranging for the microfilming of the entire document. There are interesting points of comparison with contemporary documents of the notary Rustico de Rusticis, a Pisan working in Palermo, some of whose acts concern Mallorca or the Mallorcans: Zeno, nos. 179, 182, 186–8.

<sup>103</sup> ACP, 14564, f. 23v: *apud Rosas et abinde ad Caucum Liberum redendo inde ad Rosas et de Rosis in alterum dictorum cuique locorum Oristagni, Bosa vel de Alguerio Insule Sardinie et abinde redendo Maioricas vel quicunque aliud locum Catalonie*. Coral was also collected by Marseilles merchants and brought to Mallorca: ACP, 14564, f. 35v for a *barcham ad portandum et colligendum corallum*. For Sicilian evidence of trade towards Cagliari and then Mallorca, see Zeno, no. 179, of 1340.

<sup>104</sup> David Abulafia, "Le relazioni fra il regno di Maiorca e la Sardegna, 1267–1324," XIV *CHCA*, 1:1–31; ADP, AA3, ff. 192v–6r.

<sup>105</sup> García and Ferrer, 2:335–6, no. 25, describes a complex but not unusual tour of the western Mediterranean, involving Mallorca, Cagliari, Valencia and Murviedro, by *lley* in 1301.

<sup>106</sup> For Calabria generally, see ACP, 14564, ff. 4rv; for Mallorca-Cagliari-Calabria, see ACP, 14564, ff. 69v; cf. f. 45v for a Neapolitan businessman trading in Mallorca.

<sup>107</sup> ADP, AA3, f. 128v. Trade with Aragonese Sicily was also promoted through treaty arrangements: ADP, AA1, *Livre vert majeur*, ff. 107v–108r; and AA3, *Livre vert mineur*, ff. 98rv, ff. 99r–100r; also Vich y Salom, 99–100 (for a Mallorcan text of the 1305 privilege).

<sup>108</sup> ACP, 14564, ff. 31r, 73r; cf. f. 64r for a Muslim seeking redemption in Mallorca.

fostered ties with Granada too; they installed themselves at Almería, where they had a base by 1334 from which they occasionally penetrated into the Granadan interior.<sup>109</sup> Trade to the Levant and Byzantium is much thinner; a *cocha* is recorded bound for Cyprus, and there is a reference to a past trip to Romania.<sup>110</sup> It is also striking how many ships are called *cocha bayonesca*, a title which explicitly recognises the Basque derivation of this type of vessel.<sup>111</sup> The patrons of these ships no doubt took greater care to register their business partnerships than the masters of the small *llenys*; local trade is thus poorly represented in these contracts, and here the *ancoratge* records are more suggestive, with their constant references to ships of Barcelona in port in Mallorca. But there are frequent allusions in the notarial register to visits to Valencia, Tarragona, Barcelona and the mainland Mallorcan port of Collioure.<sup>112</sup> The Italian connection is recorded both through the presence of Italian merchants in Mallorca and through contracts for commercial expeditions to Genoa, Pisa and Venice.<sup>113</sup>

The central point here is that Mallorca derived its commercial importance from its function as an intermediary not on one but on several trade routes. It was a safe base from which southern French, Catalan and Italian ships could penetrate North Africa, bringing western woollen and linen cloth through the Balearics to the Muslim countries. It was a safe harbor on the rapid route tying the Tyrrhenian ports of Italy to eastern Spain, much favoured by the Genoese and the Pisans. Finally, it was a much-valued staging post for ships on their way to and from the Atlantic, the majority of which did not sail directly to Flanders and England but only as far as Seville, where ocean-going vessels assured the connection to the far north.

<sup>109</sup> Much of the business recorded in these acts is for Honein: ACP, 14564, ff. 55v–6r; Arzila: f. 25v.

<sup>110</sup> M. Sánchez Martínez, "Mallorquines y Genovesos en Almería durante el primer tercio del siglo XIV: el proceso contra Jaume Manfré (1334)," *La frontera terrestre i marítima amb l'Islam* vol. 4 of *Misce lània de textos medievals* (Barcelona, 1988), 102–62.

<sup>111</sup> ACP, 14564, ff. 54v, 70r–v.

<sup>112</sup> ACP, 14564, f. 69v.

<sup>113</sup> ACP, 14564, ff. 2v, 20v (Valencia), f. 16r (Tarragona and Pisa or Genoa), f. 32r (Barcelona), ff. 59r–v and f. 76v (Collioure).

## V

The century after the final reincorporation of the kingdom of Majorca into the lands of the Crown of Aragon (1343) saw the economy of Mallorca, Menorca and Ibiza develop in new directions. The question that must be posed at the outset is whether it was the change in political regime or the economic crisis induced by the Black Death that engendered these changes. Predictably, the answer is a bit of each, to which must be added a widely observable European phenomenon at this period: new initiatives which had begun to succeed on the eve of the Black Death often succeeded even better in the more diversified economy that developed in late fourteenth-century western Europe; a classic Spanish example is the expansion of the *Mesta* and of wool exports out of Castile. It will be seen that Menorca is another good example. High labor costs and the ready availability of land encouraged the expansion of pastoral activity throughout much of Europe.

The first point to stress is that its good position on the international trade routes, combined with the growing difficulties of woollen cloth producers in Flanders and Florence, gave new life to the Mallorcan textile industry. It is now clear that this industry took several decades to rival that of Barcelona; Antoni Riera Melis has written of "the slow disappearance of the Majorcan cloth manufacture" (*el lento despertar de la manufactura lanera en Mallorca*). An early attempt to implant a textile industry *ad consuetudinem Narbone*, in 1257, seems to have failed; the intention was to use the best wool of Bougie in North Africa.<sup>114</sup> The king tried at first to solve the teething troubles of this industry by sending Master Bindo, a draper, to the island in 1303 to give instruction. At this stage the king expected wool to be bought in North Africa: "We entrust to you the holding of the deliberation about selling Barbary wool and sending it to these regions to be spun" (*comendamus deliberacionem per vos habitam de emendo lana de Barbaria mitenda ad partes istas filanda*).<sup>115</sup> However, by the late fifteenth century, Mallorca's textile industry appeared to be more resilient than that of mainland Catalonia. The emphasis was on the production of middling

<sup>114</sup> ACP, 14564, f. 18v (*apud Januam vel Pisas*), f. 19v (*ad partes Venecie*) f. 26v (*illam galeam Januensium*), f. 44v (*Carratus Salvatge Januensis: a cambium contract for Flanders*), f. 45v (*Paganino de Butzuhel Januensis de riparia Janue*).

<sup>115</sup> Santamaría, *Ejecutoria*, 403–5.

to good cloths, rather as in the Catalan case; and, like Barcelona, Mallorca benefited enormously from the conquests of Alfonso the Magnanimous and his attempts to create a Catalan Common Market in the western Mediterranean.<sup>116</sup> Commercial contracts drawn up at the Salerno fair in 1478 reveal that Mallorcan cloths were a common commodity in the Aragonese kingdom of Naples; the notary Petruccio Pisano records the sale of seventy-four Mallorcan cloths, worth a total of 819 ducats.<sup>117</sup> This is more than twice the number of Barcelonian cloths he mentions. Fifty-six Florentine woolen cloths were traded, with an average price four times that of Mallorcan cloths; but the evidence from fifteenth century Naples makes clear the difficulties Florence now had in facing cheaper competitors from the Catalan world. Only seventeen cloths of Perpignan, once part of the Majorcan kingdom, are listed by this notary, but the average value approached three times that of Mallorcan cloth.<sup>118</sup> There was also Genoese cloth available *a la maiorchina*, in the style of, and no doubt made from the raw wool of, Mallorca, for significant quantities of Mallorcan wool were exported to Genoa in the first half of the fifteenth century.<sup>119</sup>

This, of course, is the crucial transformation. Whereas there is no hard evidence for a lively export trade in Mallorcan or Menorcan raw wool in the thirteenth and early fourteenth centuries, the evidence becomes abundant by 1400, particularly in the private papers of the Tuscan merchant Francesco di Marco Datini.<sup>120</sup> According to Alvaro Santamaría, writing of the autonomous kingdom of Majorca,

<sup>116</sup> Riera Melis, *Corona de Aragon*, 130–3.

<sup>117</sup> This is to accept the broad arguments of M. del Treppo, *I mercanti catalani e l'espansione della Corona d'Aragona nel secolo XV* (Naples, 1972).

<sup>118</sup> David Abulafia, "The Crown and the Economy under Ferrante I of Naples (1458–94)," *City and Countryside in Late Medieval and Renaissance Italy. Essays presented to Philip Jones*, ed. T. Dean and C. Wickham (London, 1990), 140–5; A. Silvestri, *Il commercio a Salerno nella seconda metà del Quattrocento* (Salerno, 1952), 141–50; A. Saporì, "La fiera di Salerno del 1478," *Bollettino dell'Archivio storico del Banco di Napoli*, 8 (1954): 51–84, repr. as "Una fiera in Italia alla fine del Quattrocento: la fiera di Salerno del 1478," in idem, *Studi di storia economica (secoli XIII–XIV–XV)*, 3rd ed. (Florence, 1967), 443–74; E. Ashtor, "Catalan cloth on the late medieval Mediterranean markets," *Journal of European Economic History*, 17 (1988): 227–57.

<sup>119</sup> Abulafia, "Crown and Economy," 142. For the parallel problem of the origins of the textile industry in mainland Majorca (Roussillon and Cerdagne), see A. Riera Melis, "L'Aparició de la draperia urbana als Pireneus orientals," *Annals de la Universitat d'Estiu, Andorra 1982. El segle XIII* (Andorra la Vella, 1983), 152–78.

<sup>120</sup> Silvestri, doc. 84; P. Macaire, *Majorque et le commerce international (1400–1450 environ)* (Lille, 1986), 499, table. This book, a revised version of a French doctoral



“stock raising was less developed than that which came into being in the other monarchies of western Europe.”<sup>121</sup> Taking the fourteenth century as a whole, he has written elsewhere that “the principal problem which faced stockraising was that of insufficiency.”<sup>122</sup> A study of income from tithes levied on Mallorcan pastoral products suggests that between 1329 and 1343 the pastoral economy accounted for 6.79% of agrarian production; the income from this source peaked in 1334–8, declining by 1343 to a point lower than the income in 1329.<sup>123</sup> However, there was a broader decline in agricultural production from the mid-1330's onwards, as in many other areas of western Europe.<sup>124</sup> Something significant clearly happened between 1343 and the arrival of the Datini agents in the 1390's. Especially noticeable by 1400 is the attention paid to wool of Menorca, which had a long tradition of pastoral activity;<sup>125</sup> Datini agents made plain in their letters their attention to instructions to find good wool.<sup>126</sup> Considerable quantities of several qualities of wool were being brought out of the Balearics by Datini's agents around 1400. Whereas in the years around 1300 Mallorca had clearly depended on supplies of north African wool, the situation had been completely transformed by 1400: when non-Balearic wool is mentioned in the Mallorcan letters of the Datini firm, it is generally from mainland Spain and is being transshipped through Mallorca or Ibiza. Close attention was paid to the variations from year to year in the quality of wool.<sup>127</sup> On

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thesis, astonishingly makes virtually no use of the Datini papers; the main source is the long-lived Mallorcan notary Anthoni Costanti.

<sup>121</sup> Santamaría, *Ejecutoria*, 395; *la ganadería tenía menor incidencia y desarrollo cual acaecía en las otras monarquías del Occidente europeo*.

<sup>122</sup> Santamaría, *Reino de Mallorca*, 27; however, he speaks here only of Mallorca proper, and mentions imports from Menorca and the Maghrib, which he sees as crucial to the survival of Mallorca's textile industry in the fifteenth century: Santamaría, *Reino de Mallorca*, 28; *el principal problema que planteaba la ganadería era el de su insuficiencia*.

<sup>123</sup> Santamaría, *Ejecutoria*, 396.

<sup>124</sup> *Ibid.*, 396–8.

<sup>125</sup> The treaty of 1231 between James the Conqueror and the Menorcan Muslims already indicates the significance of animal raising in the Menorcan economy.

<sup>126</sup> ASP, Datini 1073, Carteggio Maiorca, lettere Minorca-Maiorca, no. 801487, 1406 dic. 4, and 801490, March 11, 1406, Giovanni Perets to Comp. Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino. For general comments on the role of the Mallorca branch of Datini's firm, see E. Bensa, *Francesco di Marco da Prato* (Milan, 1928), 112–3; F. Melis, *Aspetti della vita economica medievale (studi nell'Archivio Datini di Prato)* (Siena/Florence, 1962), 261–5; and (for the early stages) the important study by Bruno Dini, *Una Pratica di Mercatura in formazione (1394–1395)* (Florence/Prato, 1980), 16–30.

<sup>127</sup> ASP Datini 1073, Carteggio Maiorca, lettere Minorca-Maiorca, no. 119409,

August 11, 1404 the Datini agency in Mallorca received a report of a ship bearing 220 sacks of wool which was standing in the port of Maó (Mahón) in Menorca.<sup>128</sup> In 1407 Bernat Portal reported from Ma to Mallorca that "wool this year is very good but the quantity is very small."<sup>129</sup> There was also some interest in sheepskins and cheeses; what all these products have in common is their basis in the expanded pastoral economy of the Balearic islands.<sup>130</sup> The Italians and Catalans brought both finished cloth and wheat in return; often the imported goods were actually bartered for Balearic products. This may reflect the shortage of specie which some historians have identified in this period, though an increasingly convincing alternative view is that barter became fashionable as a means to reduce overheads and dependence on middlemen.<sup>131</sup>

It is certainly striking that the Balearic Islands were a major base for the operations of the obsessively watchful but very successful "merchant of Prato" throughout most of Datini's career. Yet they functioned as a source of supply, a market for imported goods, and, not least, as a control center from which Datini's agents could report on the movement of shipping between Venice and Flanders, Genoa

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February 11, 1399, Bernart Portal a Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino: *ay bona sort de lana e lana bona*; no. 801487, 1406 dic. 4, no. 801494, 1406 lugl. 18, both Giovanni di Perets to Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino; cf. F. Melis, *Documenti per la storia economica dei secoli XIII-XV* (Florence/Prato, 1972), 180-1, for a document of March 5, 1399 from the same file.

<sup>128</sup> ASP, Datini 1073, Carteggio Maiorca, lettere Mahn-Maiorca, no. 801679, Miquel Angles to Cristofano di Bartolo Carocci da Barberino. The major study of the handling of Menorcan wool is Melis' "Sei panni di lana minorchina dalla tosa della pecora alle soglie dell'abbigliamento," Melis, 635-729.

<sup>129</sup> ASP, Datini 1073, Carteggio Maiorca, Mahón-Maiorca, no. 119396, 1407 giu. 30, Bernart Portal to Comp. Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino; *les lanes son estades est any fort bones mes son pochés*.

<sup>130</sup> ASP, Datini 1084, Carteggio Maiorca, Appendice: Lettere a Giovanni e Tuccio di Gennaio in Ivizza, 1400-1404, Maiorca-Iviza, nos. 521054 and 521089, 1400 gen. 25, and 1401 mar. 25, both from Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino to Giovanni di Gennaio, referring in the former case to *pelle ovine* and in the latter to 56 cheeses weighing on average nearly 1 lb. each as well as *formaggio insalato*.

<sup>131</sup> ASP, Datini 1073, Carteggio Maiorca, lettere Mahón-Maiorca, nos. 119402, 119405, 119407, all Bernart Portal to Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino; ASP, Datini 1084, Carteggio Maiorca, Appendice: Lettere a Giovanni e Tuccio di Gennaio in Ivizza, 1400-1404, Maiorca-Iviza, no. 521053, 1400 sett. 17, Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino to Giovanni di Bartolo: *Facendo la baratta di iij pani di opere di Barzalona a lana*.

and Valencia, and very many other western Mediterranean routes. Many goods coming into the islands were simply being transferred to other ships or stored temporarily before re-export. Ibiza was especially useful in this regard, and the correspondence with the Datini agents on Ibiza is more concerned with reports on middle to long distance trade than with the handling of the island's own produce; others than Datini specialised in Ibizan salt. Letters were received from Bruges and Venice as well as nearby Denia, Valencia and Peñíscola.<sup>132</sup> It was a good command center from which to compare prices and availability of Mallorcan and mainland wools. It was also a valuable clearing house where mainland commodities such as grana, the red insect dye used for prestige cloth manufacture, were available.<sup>133</sup>

The Datini evidence, superabundant as it is, cannot be used with confidence to map out Mallorca's trading links at this period. Francesco Datini had clear priorities, and the wool and cloth trades dominated his business affairs. In particular, he showed rather little interest in North Africa. The surviving correspondence between North African towns and Datini agents in the Balearics makes it plain that direct trade with the Maghrib was of marginal importance to Datini's firm.<sup>134</sup> On the other hand, Datini's agents showed a strong interest in African products accessible in Maiorca, notably wax, and also to some degree leather; North African wool was less favored now that the wools of Mallorca, Menorca and mainland Spain were easily available and of requisite quality.<sup>135</sup> A letter from Savona suggests that the proceeds from the sale of hemp, suitable for the making of sailcloths, can be used to buy wax and *chuoio barbarescho*, north African

<sup>132</sup> Dini, 19–20, expresses current thinking on this; cf. J. Day, *The Medieval Market Economy* (Oxford, 1987), 11, 13, 57, 89, 95, 120. ASP, Datini 1082, Carteggio Maiorca, lettere Maiorca-Venezia, nos. 119475–8, 1398 maggio, Bindo di Gherardo Piaciti a Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino, reveals barter of cloth for pearls in Venice, with a view to the export of the pearls either to Mallorca or (by preference) to Valencia.

<sup>133</sup> ASP, Datini 1084, Carteggio Maiorca, Appendice: Lettere a Giovanni e Tuccio di Gennaio in Ivizza, 1400–1404.

<sup>134</sup> ASP, Datini 1076, Carteggio Maiorca, lettere Pisa-Maiorca, no. 120041, 1400 ott. 12, Comp. Francesco di Marco Datini to Comp. Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino.

<sup>135</sup> ASP, Datini 1076, Carteggio Maiorca, contains letters from Tunis and Tedeles to Mallorca: a dozen for Tunis as opposed to one for Tedeles. There are thought to be 10,218 letters in the Datini archive sent to recipients in Mallorca: Melis, *Aspetti*, 17–23.

leather, in Mallorca.<sup>136</sup> In April 1404 a Datini agent in Tunis reported to Mallorca that *qui cio buona somma di quoia di bue de vitelli*, but this was not a major concern of the Datini companies.<sup>137</sup>

Evidence from the notarial registers of early fifteenth-century Mallorca confirms that north Africa had not in fact lost its primary importance in Balearic trade. During the first quarter of the fifteenth century, the Jew Astruch Xibili conducted business in all the significant trading towns of the Maghrib, with the other Balearic islands (17 insurances), with Collioure (16 insurances; it clearly retained its importance in Mallorcan trade even after the extinction of the Majorcan state), with Barcelona (62 insurances), Valencia (33), Sicily (27) and Sardinia (10): almost every recorded year he was involved in business with these lands, and, since his function was generally that of an insurance broker, his business affairs are good evidence for the wider trading network of the Mallorcan merchant elite, Christian and Jewish, whose affairs he helped to organize; he also traded extensively in his own right to North Africa. His business affairs in Venice, Provence, southern Italy and the Levant, and, perhaps surprisingly, Granada, were not unimportant, but were less regular, though on twenty-two occasions between 1419 and 1432 he is found insuring journeys to and from Flanders.<sup>138</sup> A Christian merchant from the same period, Guillerme Bramona, had similar interests in the western Mediterranean, with a greater stress on southern Italy and a much less developed interest in Barcelona; he has been seen as *un marchand type* of early fifteenth-century Mallorca, though the spread of Astruch Xibili's interests, if not the man himself, is arguably more representative.<sup>139</sup>

<sup>136</sup> ASP, Datini 1076, Carteggio Maiorca, lettere Pisa-Maiorca, no. 120042, 1400 nov. 19 (also mentioning dates), Comp. Francesco di Marco Datini to Comp. Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino; see also Melis, *Documenti*, 170–1.

<sup>137</sup> ASP, Datini 1076, Carteggio Maiorca, lettere Savona-Maiorca, no. 123023, 1396 mar. 30, Bartolomeo di Barone a Ambrogio di Messer Lorenzo (Lorenzi), for which see also Dini, *Pratica*, tavola 6; cf. ASP, Datini 1076, Carteggio Maiorca, lettere Pisa-Maiorca, no. 124208, lettere Pisa-Maiorca, 1406 [= 1407] gen. 13, Comp. Paolo Biliotti a Comp. Francesco di Marco Datini e Cristofano di Bartolo Carocci da Barberino, for both wool and leather from north Africa, as well as mainland Spanish products (*mandorli di Valenza* and no doubt the saffron also mentioned).

<sup>138</sup> ASP, Datini 1076, Carteggio Maiorca, lettere Tunisi-Maiorca, no. 121236, 1404 apr. 1, Antonio Faulli to Comp. Francesco di Marco Datini and Cristofano di Bartolo Carocci da Barberino.

<sup>139</sup> These comments are based on the tables in Macaire, 81–91.

The character of the long distance trade can be established with ease. To Flanders spices, wax and oil were carried; many of these products, such as saffron, dates and *grana* were of western Mediterranean rather than oriental origin. Cloths were brought in return.<sup>140</sup> By contrast, the trade to Alexandria, Romania, Cyprus and Rhodes, a jumping-off point into the Levant, was dominated by the export of Catalan cloths (Mallorcan, Barcelonian, Perpignanais) and of olive oil, and the import of spices.<sup>141</sup> The registers of Anthoni Costanti mention about 73 trips to the eastern Mediterranean in the first forty years of the fifteenth century; there are 42 references to exports of cloth and 31 to exports of olive oil. By contrast there are 196 references to cloth being sent to the Maghrib, and cloth was by far and away the most important commodity sent south; wax dominated imports from Africa, but leather and gold were also significant. 391 trips between Mallorca and the Maghrib have been identified, of which 311, no less than 80%, were by Balearic ships; Barcelona comes next with a mere 20, Castile has 14, Genoa 18 and Collioure only seven (however these statistics must be taken with a large pinch of Ibizan salt).<sup>142</sup> Sicilian trade was again dominated by cloth exports but the major import was, predictably, wheat (much the same applied to Sardinia); some other commodities, such as wax, may have been trans-shipped through Sicily, and have been of Tunisian origin.<sup>143</sup> The constant provision of wax by Mallorcan merchants trading to Barcelona serves as a reminder that Mallorca too was a point of trans-shipment for goods from north-west Africa, and confirms the emphasis on this product in some Datini letters. There was some redistribution of Flemish cloths, Sicilian wheat, Almerian silk and Levantine spices to Barcelona; it is less clear what dominated Barcelona's trade to Mallorca.<sup>144</sup> Trade towards Genoa and Savona was certainly heaviest in raw wool, not merely of Mallorca and Menorca but also of Valencia; however, existing documentation may not give enough attention to the salt of Ibiza, which could be obtained directly from the island by Genoese shippers.<sup>145</sup>

<sup>140</sup> Ibid., 60, and 61, table.

<sup>141</sup> Ibid., 332, table.

<sup>142</sup> Ibid., 356, 361, 368, 370, 373, 375, tables.

<sup>143</sup> Ibid., 375, table 3.

<sup>144</sup> Ibid., 426-7, table.

<sup>145</sup> Ibid., 411, table 1; Macaire does not indicate the direction of trade, so his figures presumably include a high percentage of return trips. Moreover, the number of Genoese trips from Ibiza to Africa bearing the island's salt was surely very high;

It thus seems that the Balearics did undergo an economic transformation in the late fourteenth and fifteenth centuries. Not merely did Mallorca become the center of a successful textile industry, aimed at the upper middle part of the market, but Menorca, and to some degree Mallorca, became a major wool producing region, with surplus raw wool being sold to Italian businessmen for transmission to Florence, Genoa and elsewhere in north-western Italy.<sup>146</sup> Yet it did not lose its function as a transit center for trade in African goods, above all wax and also, when available, gold.<sup>147</sup> By comparison with Barcelona, the impression is of a quite buoyant economy, though social crises in town and country, notably the pogrom of 1391, indicate that the process of adjustment, here as elsewhere in Europe, was difficult.

## VI

The aim here has been to contrast two aspects of Mallorca's trade in the late Middle Ages. First appreciated as a stopping-off point, a command center, a place for the repair of ships, for the storing of African and Iberian goods, Mallorca never abandoned these functions.<sup>148</sup> What is striking is the success of the Balearics in developing their own textile industry, and then, apparently after that, their own woolen export business, so that Mallorca, by the time of Francesco Datini, was more than one big *fondacho* filled with exotic goods. The mystery is to whom to attribute these initiatives. The Black Death undoubtedly stimulated the expansion of pastoral activities; Menorca was never densely settled, and had a long history of sheep and cattle rearing, but it seems that it was only after the mid-fourteenth century that its export trade in raw wool really took off. Mallorca benefited from these changes, in cheap supplies for its own industry, and it also benefited from the wider, and largely successful, challenge by Catalan cloth producers against those of Flanders and Florence.

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salt could be exchanged for gold. Finally, this is merely the evidence from a single notary with a large commercial practice, and it must be assumed that non-Mallorcan merchants frequented their own notaries in their own lonja. The lack of ancoratge records for fifteenth-century Mallorca simply forces one to use this questionable evidence.

<sup>146</sup> Ibid., 449, 457, tables.

<sup>147</sup> Ibid., 471, table 1.

<sup>148</sup> Ibid., 499, table 2; 500, table 2.

Yet it can also be argued that an important step forward was the reintegration of the Balearic islands into the economic system being built up by Catalan merchants across the Aragonese dominions and in north Africa. Attempts by the three independent kings of Majorca to put up tariff barriers against Catalan merchants, and to bond Mallorca more closely to Roussillon by way of Collioure, rebounded on the Majorcan monarchy and economy in the early fourteenth century, for the result was the avoidance of Mallorca by Catalan merchants. The route to success lay along trade routes to Africa, Sardinia, Calabria, Sicily and elsewhere, which were being opened up by the Catalans as a whole: Barcelonians, Mallorcans, Valencians. The success of Mallorca's trade and industry in the late Middle Ages depended on the involvement of Mallorca in the supply system that linked Barcelona and Valencia to the Mediterranean islands and to the Maghrib. Mallorca, as the popes had recognized from the start, could not survive without trade; but the success of that trade depended to some degree on the success of its integration into the trading world of Catalonia.





## THE TRANSPORT OF MUSLIM SLAVES IN FIFTEENTH-CENTURY VALENCIA

Paul G. Padilla

For all its repugnance to modern sensibilities, slavery remained an accepted institution for most of recorded history.<sup>1</sup> The transport of slaves continued uninterrupted in Mediterranean Europe throughout the Middle Ages and well into the modern period. In many Mediterranean port cities, the buying, selling, and transport of slaves constituted a normal portion of the city's commerce, and in this respect the city of Valencia was no different from her sister port cities. Throughout the fifteenth century Valencia continued being one of the most prosperous cities in the federated Crown of Aragon, at one point even supplanting Barcelona as the financial center. By examining the listings in the *Maestre Racional* with regard to the transport of Muslim slaves through the Kingdom of Valencia during the first half of the reign of Alfonso V the Magnanimous, the present work seeks to lay the basis for a preliminary study on slavery in fifteenth-century Valencia, and thereby add further to our knowledge of the slave trade in the Mediterranean world.<sup>2</sup>

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<sup>1</sup> David Brion Davis, *The Problem of Slavery in Western Culture* (Ithaca, 1966) remains the standard introduction on the place of slavery in western society; see also his *Slavery and Human Progress* (Oxford, 1984). More recently, William D. Phillips, *Slavery from Roman Times to the Early Transatlantic Trade* (Minneapolis, 1985) provides an excellent synthesis of works on the subject. Jacques Heers, *Esclaves et domestiques au Moyen-Âge dans le monde méditerranéen* (Paris, 1981) examines Mediterranean slavery in the late medieval/Renaissance period as does Charles Verlinden in his "Aspects quantitatifs de l'esclavage méditerranéen au bas moyen âge," *AEM* 10 (1980): 769-89.

<sup>2</sup> The picture I shall present is a fragmentary one owing to the nature of the documentation. We are better served for the later period by Vincenta Cortés Alonso, *La esclavitud en Valencia durante el reinado de los Reyes Católicos* (Valencia, 1964); Vincente Grallera Sanz, *La esclavitud en Valencia en los siglos XVI y XVII* (Valencia, 1976); and Henry Kamen, "Mediterranean Slavery in its Last Phase: The Case of Valencia 1660-1700," *Anuario de Historia Económica y Social* 4 (1970): 211-34. Vincenta Cortés has done a preliminary study covering the years 1417-1444 "Los pasajes de esclavos en Valencia en tiempo de Alfonso V," *AEM* 10 (1980): 791-803. It is useful to compare the situation in fifteenth-century Valencia with the Kingdom of Mallorca during the same period; for this, see Pierre Macaire, *Majorque et le commerce international (1400-1450 environ)* (Paris, 1986), 117-38; Charles-Emmanuel Dufourcq, "Aspects

A wide variety of sources for the supply of slaves existed in medieval and renaissance Spain. These included military conquest, piracy and privateering, raids or foraging expeditions, and, of course, the slave trade. Slavery could also result from birth, marriage, punishment for an offense or crime (*servus poenae*), indebtedness (*obnoxio*); or personal consent to enslavement.<sup>3</sup> Marc Bloch has argued that in most of Western Europe slavery was transformed into other forms of servitude, but in those frontier areas of Catholic Europe (for example, the lands reconquered from the Muslims or the fringe areas of Eastern Europe) there remained a constant supply of potential slaves.<sup>4</sup> Such was the case in Valencia. Owing to its geographic proximity to the Mediterranean coast and the Muslim frontier, the two chief source of slavery in Valencia remained the slave trade, and the captives obtained through privateering raids who in turn were sold into slavery.

Both Islam and Christianity made their appearance in history in societies where slavery was already an accepted social and economic institution, and it was to remain so in both religions. It would not be until the modern period that the religious attitudes toward this servile state would be drastically altered. During the fifteenth century, the struggle between Islam and the Christian kingdoms of the Iberian Peninsula continued as it had for centuries before. These hostilities—whether formal military campaigns, privateering raids or simple piracy—provided a continual flow of slaves for both sides. Muslim and Christian pirates *cum* privateers preyed on the shipping of their opposite, and the captives were sold in the slave markets unless they

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internationaux de Majorque durant les derniers siècles du Moyen Âge,” *Mayurqa, Miscelanea de estudios humanísticos* 11 (1974): 5–52.

<sup>3</sup> Charles Verlinden, *L'esclavage dans l'Europe médiévale*, 2 vols. (Bruges, 1955), 1:62–70, 251–78; Leopoldo Piles Ros, *Apuntes para la historia económica social de Valencia durante el siglo XV* (Valencia 1969), 162. John Boswell has shown that Muslims unable to identify their lord or owner, or who violated laws and dress codes could also be subjected to enslavement: *The Royal Treasure: Muslim Communities under the Crown of Aragon in the Fourteenth Century* (New Haven CT, 1977), 50–1, 346–7. See also Miguel Gual Camarena, “Un seguro contra crímenes de esclavos en el siglo XV,” *AHDE* 23 (1953): 247–58; Joaquín Miret y Sans, “La esclavitud en Cataluña en los últimos tiempos de la edad media,” *Revue hispanique* 41 (1917): 1–109; Pedro López Elum, “Apresamiento y venta de moros cautivos en 1441 por ‘acaptar’ sin licencia,” *Al-Andalus* 34 (1969): 329–79; Charles Verlinden, “L’infante esclave dans l’Europe médiévale,” *Recueils de la Société Jean Bodin* 36 (1996): 107–25.

<sup>4</sup> Marc Bloch “How Slavery Came to an End,” in *Slavery and Serfdom in the Middle Ages, Selected Papers of Marc Bloch* (Berkeley, 1975), 29–30; Bloch “Mediaeval ‘Inventions,’” in *Land and Work in Medieval Europe, Selected Papers by Marc Bloch* (Berkeley, 1967), 179–80.

could be ransomed. For the Christians, this gave rise to the ransoming orders such as the Mercedarians and the Trinitarians.<sup>5</sup>

Some regions of the Mediterranean had their own unique and singular characteristic with regard to slavery. In the Levant, there existed that uniquely Muslim phenomenon of the *mamlūk* military slave, an individual who is a purchased slave, but one trained for military service as a professional soldier.<sup>6</sup> This powerful military elite became the ruling class of Egypt from 1250 to 1517. The study of slavery in Islamic Africa has also recently gained much deserved attention.<sup>7</sup> But for the most part, slavery in the Mediterranean world remained an urban phenomenon, and the slaves tended to be utilized as domestics and artisans. We find that by the end of the fourteenth century in Italy, for example, it was quite fashionable for a family of means to have at least one slave.<sup>8</sup> We can generalize Mediterranean slavery as follows: it was primarily an urban phenomenon: the slave performed domestic work or personal service and male slaves were generally employed in positions of trust. It is important, moreover, to bear in mind that the possession of a slave was perceived as a luxury.<sup>9</sup> The purchase of a slave entailed a considerable

<sup>5</sup> Robert I. Burns, *The Crusader Kingdom of Valencia: Reconstruction of a Thirteenth-Century Frontier*, 2 vols. (Cambridge MA, 1967), chap. 13; James William Brodman, *Ransoming Captives in Crusader Spain, The Order of Merced on the Christian-Islamic Frontier* (Philadelphia, 1986). For the later period, see Ellen Friedman, *Spanish Captives in North Africa in the Early Modern Age* (Madison WI, 1983). For individual ransoming efforts, see, Juan Torres Fontes, "La Hermandad de moros y cristianos para el rescate de cautivos," *I Simposio internacional de Mudéjarismo* (Madrid-Teruel, 1981), 499–508; Maria Ferrer i Mallol, "La redemció de captius a la Corona catalano-aragonesa (segle XIV)," *AEM* 15 (1985): 237–98.

<sup>6</sup> On the Mamluks, see David Ayalon, *Studies on the Mamluks of Egypt, 1250–1517: Collected Studies* (London 1977) and *The Mamluk Military Society: Collected Studies* (London 1979); Donald P. Little, *History and Historiography of the Mamluks* (London, 1986); Patricia Crone, *Slaves on Horses: The Evolution of the Islamic Polity* (Cambridge, 1980); Daniel Pipes, *Slaves, Soldiers and Islam: The Genesis of a Military System* (New Haven, 1981).

<sup>7</sup> Davis, *Slavery and Human Progress*, chap. 4; *Slaves and Slavery in Muslim Africa*, ed. John Ralph Willis, 2 vols. (London, 1985); Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge, 1983).

<sup>8</sup> John Lerner, *Italy in the Age of Dante and Petrarch, 1216–1380* (London, 1980), 199; Iris Orgio, "The Domestic Enemy: Eastern Slaves in Tuscany in the Fifteenth and Sixteenth Centuries," *Speculum* 30 (1955): 334–35, 340.

<sup>9</sup> Robert S. Lopez and Irving W. Raymond, *Medieval Trade in the Mediterranean World* (New York, 1955), 115; S. D. Goitein, *A Mediterranean Society: The Jewish Communities of the Arab World as Portrayed in the Documents of the Cairo Geniza*, 6 vols. (Berkeley, 1967–1988), 1:130–47; Robert I. Burns, *Islam Under the Crusaders: Colonial Survival in the Thirteenth-Century Kingdom of Valencia* (Princeton, 1973), 109–13.

investment on the part of the buyer. In the Christian West, slaves were generally subject to the discretion of their owners; their predicament was similar in the Islamic world however, as we also find slaves involved in litigation in the Muslim courts, as well as granting their consent in the matter of their own sale. Slaves therefore seem to have retained certain human rights under Islamic law, more so than did their counterparts in the Christian West.<sup>10</sup>

Two late fourteenth-century documents in Jerusalem illustrate how the Muslim courts would intervene in slave-master dealings when the legal competence of the master was called into question.<sup>11</sup> In the first, dated October 10, 1391, the orphans of Maquarr Badr al-Dīn wished to sell the four slave girls, the *mamlūk* Balabān and a mule they inherited. The court concurred "that the orphans should be relieved of the necessity of maintaining these for themselves, and that failing to sell them would harm the aforementioned orphans and impose a burden on them."<sup>12</sup> In another document (December 5–14, 1394), four slaves—al-Maqqadam, Mubārak, Mubāraka, and Inshirāh—came before the court to argue that their deceased master Muhibb al-Dīn had granted them their freedom just prior to his death. The court heard their case and ruled that the minor "had reached puberty, but that he remained under legal impediment" because he had not yet attained "the age of discretion."<sup>13</sup> All the slaves were therefore sold with the exception of Mubārak, who, fearful of his impending fate, fled to Damascus. Just as slaves were not adult persons before the law in Islamic courts, so too in Valencia slaves, though lacking civil rights, benefitted from the protection of the law. The *Furs de València*, the thirteenth-century comprehensive law code James I promulgated for his newly-conquered realm, placed slaves under the category of domestic discipline, along with minors, women and the mentally-incompetent.<sup>14</sup>

The question of conversion is an extremely complicated and thorny issue. Theoretically, Muslims and Jews in Islamic countries could own

<sup>10</sup> Murray Gordon, *Slavery in the Arab World* (New York, 1989). See also Lopez, 116 and Goitein, 1:141–2.

<sup>11</sup> Donald P. Little, "Two Fourteenth-Century Court Records from Jerusalem Concerning the Disposition of Slaves by Minors," *Arabica* 27 (1982): 16–49.

<sup>12</sup> *Ibid.*, 21.

<sup>13</sup> *Ibid.*, 31–3.

<sup>14</sup> *Fori antiqui Valentiae*, ed. Manuel Dualde Serrano (Madrid-Valencia, 1950–67), rubric 83, no. 9, p. 153. *Domesticos vocamus uxores, servos, liberos mercannarios, nepotes, discipulos, scolares, et omnes mares et feminas que sint de familia.*

infidels and Christians as slaves, but not other Muslims. If a slave converted to Islam, he would no longer be a slave. During the Middle Ages, Christians could own Muslims and pagans as slaves, but were not supposed to own or sell other Christians. Still, conversion to Christianity was not necessarily an avenue to manumission. The Church Fathers had already stated that baptism did not by itself affect the social status of a slave, and slavery was a perfectly acceptable institution in medieval Christianity. In the Crusader Latin Kingdoms, the slaves were Muslims, Jews, and eastern Christians.<sup>15</sup> Likewise in Catholic Europe, slaves included not only pagans and Muslims, but also those Christians who were seen as heretics or schismatics. As slaves were brought to the West, efforts were made in countries like Italy to convert them to Christianity, but no such efforts toward conversion were attempted in the Spanish kingdoms.<sup>16</sup> Moreover, Catholics could be enslaved as a punishment for a criminal offense, or as the result of military hostilities. During the reign of Peter IV, we encounter numerous examples of Sardinian Christian slaves, many the product of Peter's subjugation and pacification of Sardinia, sold and transported to cities throughout the Crown of Aragon.<sup>17</sup> By the early Renaissance, we encounter a strong disapproval toward the enslavement of men and women from all Christian lands. Florence, in her formal authorization of the slave trade in 1363, stipulated that only non-Christians could be imported. A papal bull in 1425 threatened Christian slave traders with excommunication.<sup>18</sup>

Slavery was pervasive in the Crown of Aragon, and in the Kingdom of Valencia in particular. The Catalans found it unnecessary to actively enslave Jews or eastern Christians, because there was such an abundant supply of potential Muslim captives. Little effort was made to actively convert enslaved Muslims. Muslim captives, whether they were from North Africa or from the neighboring kingdom of Granada, were not baptized and continued using their Arabic names.

<sup>15</sup> Joshua Prawer, *Crusader Institutions* (Oxford, 1980), 208.

<sup>16</sup> Heers, 95–108.

<sup>17</sup> Johannes Vincke, "Königtum und Sklaverei im aragonischen Staatenbund während des 14. Jahrhunderts," *GAKS* 25 (1970): 19–112; Evandro Putzulu, "Schiavi sardi a Maiorca nella seconda metà del secolo XIV," *VI CHCA*, 365–78; Josep Maria Maudrell Marimon, "Vendes d'esclaus sards de guerra a Barcelona en 1374," *VI CHCA*, 285–9; Álvaro Santamaría Aráñez, "Cautivo genoveses en Mallorca durante las campañas sardas de 1353–1355," *AEM* 5 (1968): 501–16.

<sup>18</sup> Larner, 200; Davis, *Problem of Slavery*, 98–9; Piero Guarducci and Valeria Ottanelli, *I servitori della casa Borghese Toscana nel basso medioevo* (Florence, 1982).

These slaves like their Muslim counterparts—the indigenous Spanish Muslim population—were originally called “Saracens” (*sarrains* or *sarrahins* in Catalan) but in time came to be popularly called “Moors” (*moros*), although in official Latin and vernacular documents they are at times still referred to as “Saracens.” The chief source of slaves in our present documentation was the pool of captives obtained by pirates and privateers. We therefore find that the terms like “captive” (*catiu*), “servant” (*servu*) and “slave” (*sclau*) were synonymous in the *Furs*, and often times were used interchangeably when referring to Muslim slaves.<sup>19</sup>

But once enslaved the Muslim captives were not necessarily relegated to a permanent social status. These Muslims could work out their freedom, they could be ransomed by Muslim alms, or they might be freed as a final pious act in their master’s will. Upon obtaining their freedom, they could return home, but a good many probably assimilated into the local Mudejar community. The religious situation in Valencia was not conducive to proselytizing. The relative proximity to other Muslim states, the existence of a sizeable Mudejar community, as well as the strength and solace they may have received from their faith—all may have provided the Muslim captive with the hope, however slight, of returning to their native lands.<sup>20</sup> Nevertheless, there were conversions. In 1304 Jaime Pons agreed to sell his Muslim slave Fatima to a group of Muslims, but her conversion to Christianity nullified this contract. Pons was obliged to return the money, and Fatima remained free. In addition, Muslim converts also proved to be invaluable in the ransoming of Christian captives. On March 19, 1423, the Valencia city council paid Juan de Bordils, a Muslim who converted to Christianity, twenty gold florins for his services in the liberation of sixteen Christian captives in Almería.<sup>21</sup>

As slaves were transported through the Kingdom of Valencia and

<sup>19</sup> Roque Chabás y Lloréns, “La esclavitud en Valencia,” *El Archivo* 4 (1890): 267.

<sup>20</sup> Heers, 90–9. For the Muslim population in the fifteenth century, see Leopoldo Piles Ros, “La situación social de los moros realengo en la Valencia del siglo XV,” *EHSE* 1 (1949): 225–74; the bibliographic essay by Miguel Gual Camarena, “Los Mudéjares valencianos en la época del Magnánimo,” *IV CHCA*, 1:467–94; Manuel Ruzafa García, “Los Mudéjares valencianos en el siglo XV. Un bibliográfica,” *Actas del III Simposio de Mudéjarismo* (Teruel, 1986), 291–303; and the general synthesis by María del Carmen Barcelo Torres, *Minorías islámicas en el país valenciano: historia y dialecto* (Valencia, 1984).

<sup>21</sup> Miguel Gual Camarena, “Mudéjares valencianos, aportaciones para su estudio,” *Saitabi* 7 (1949): 169.

the ships docked into the port of Valencia city, the owner or ship's captain was required to pay a fee for the transport of the slave (*dret de passatge*) to the *Maestre Racional*, the chief fiscal official in the kingdom. If the captives were prizes of war, they were also required to give the king his rightful share of the booty (*lo dret al Senyor Rey*). Custom had established the amount at one-fifth of the value of the obtained booty. The *Maestre Racional* would log the number of slaves/captives transported, along with listing the monies received. At times we are provided with the names of the captives, their sex, and their color. Sometimes, we are given their place of origin and destination. Our documentation is by no means complete, but rather random and irregular. No doubt there was smuggling; how much it is difficult to say, for the only documentation we have on such illicit activities pertains only to those unsuccessful individuals who were caught. Also, other royal and municipal officials had jurisdiction and also mention Muslims in their respective documentation. The present study can still be useful because it allows us to observe the slave traffic in Valencia.

While some of the slaves listed are the direct result of the slave trade, we find that the majority are captives obtained as booty during a period of "open hostilities" (*de bona guerra*) with the surrounding Muslim powers. Now, the line dividing piracy from privateering is a very fluid one. A privateer received a commission—either direct with a formal letter of marque, or implied if open hostilities existed between the Crown of Aragon and a neighboring Christian or Muslim power—to attack an enemy's commerce and what was captured from these ships constituted prizes of war. We find in that famous Catalan maritime law code, *The Consulate of the Sea*, that privateers, more commonly called "corsairs" in the Mediterranean, are acting within their right when they prey on an enemy's shipping.<sup>22</sup> Crime altruistically

<sup>22</sup> Ferrer i Mallol, 241; *Llibre del Consolat de Mar*, ed. Germà Colon i Arcadi Garcia (Barcelona, 1981–2), chap. 276. *Si alguna nau o leny armat qui entrarà en cora o n'exirà o y serà s'encontrarà ab alguna altra nau o leny de mercaderia, si aquella nau o aquell leny armat pendrà aquella nau o aquell leny e la mercaderia serà de anamics e so que dins serà, en assò no cal als dir. Per què? Per so car casun és tant sert què ja sap que n'à a ffer, perquè no cal en aytal cas posar alcuna rahó.* See also Antonio de Capmany y de Montpalau's classic study *Memorias históricas sobre la marina, comercio y artes de la antigua ciudad de Barcelona*, ed. E. Giralt y Raventos and C. Batlle y Gallart, 3 vols. (Barcelona, 1961–1963). On Catalan piracy and privateering, see the monograph by Anna Unali, *Marinai, pirati e corsari catalani nel basso medioevo* (Bologna, 1983) and N. Coll Julià. "Aspectes del corso catalán y del comercio internacional en el siglo XV," *Estudios de historia moderna* 4 (1954): 159–87.

committed—what could be more gratifying to a pirate? When hostilities ceased the privateer was expected to desist from further attacks on the enemy's shipping. If he did not, he was then considered a pirate, a brigand of the sea, and as such would be subject to criminal prosecution if caught by the authorities.<sup>23</sup>

Our first entries are for the year 1421. Eighteen slaves and captives are recorded in the registers of the *Maestre Racional*. Three of these we know to be females. Six are listed as actually being slaves and the remainder as captives. Of the latter number, four are listed as war prizes, and all of these are carried in the vessel of Joan de Cordova. His ship was from the city of Cartagena and we can safely assume that these captives were probably from the Kingdom of Granada. Seven of these slaves and captives are black. Ten of the eighteenth are bound for Barcelona; one, for Mallorca; and we have no indication of the destination of the remaining seven.<sup>24</sup>

For the following year of 1422, we find that eighteen Muslim captives were brought into the port of Valencia. Only one of these was female—none of them was black and all of them were war prizes. On March 2, García Ruiz, captain of an armed vessel from Cartagena, is recorded as bringing to port a cargo of one female and seven male Muslim captives.<sup>25</sup> On June 16, Bartholomeu Silvestre is listed as carrying two captured Muslims in his armed vessel from Cullera.<sup>26</sup> In the following month (July 22), Berenguer Armengol brought four Muslim captives into Valencia city,<sup>27</sup> and on the following day we encounter our friend Joan de Cordova bringing in four Muslim cap-

<sup>23</sup> For a case study of the corsair-pirate in thirteenth-century Valencia, see Robert I. Burns, *Muslims, Christians, and Jews in the Crusader Kingdom of Valencia*, (Cambridge, 1984), chap. 4. On piracy and privateering in fifteenth-century Valencia, see José Hinojosa Montalvo, "Piratas y corsarios en la Valencia de principios del siglo XV (1400–1409)," *CHE* 5 (1975): 93–116; Jacqueline Guiral-Hadziiossif, "Course et piraterie à Valence de 1410 à 1430," *AEM* 10 (1980): 759–65; Guiral-Hadziiossif, *Valence, port méditerranéen au XV<sup>e</sup> siècle (1410–1525)* (Paris, 1986), chap. 3.

<sup>24</sup> See Appendix.

<sup>25</sup> ARV, Maestre Racional, R. 42, f. 86v. (March 2, 1422) *reebs per mi lo dit Daniel Barçelo d'en García Roiz de un llaut o barqua armada dela ciutat de Cartagena per mans d'en Arnau Font mercader per lo dret al senyor Rey pertanyent de VI moros e una mora que li aialgi de bona guerra (330 solidi).*

<sup>26</sup> ARV, Maestre Racional, R. 42, f. 86v. (June 16, 1422) *reebs per mi lo dit Daniel Barçelo d'en Bartholomeu Silvestre patro de un leny armat de xviii rems dela vila de Cullera per lo dret al senyor Rey pertanyent de li moros que ii aialgi de bona guerra. (90 solidi).*

<sup>27</sup> ARV, Maestre Racional, R. 42, f. 87. (July 22, 1422) *d'en Berenguer Armengol patro de barqua armada de Cartagena per lo dret al senyor Rey pertanyent quatre moros que li aialgi de bona guerra. (126 solidi, 6 denari).*



tives.<sup>28</sup> We have only one entry for 1423—early in the year Martí Uira brought nine Muslim captives into the port of Valencia in his armed privateering vessel.<sup>29</sup>

Our documentation is silent at this point until June 1430 when we come upon a controversial episode involving Muslim captives. The entry is quite extraordinary in its length—a full three folios. This is most unusual in fiscal records which are generally noted for their brevity and conciseness.<sup>30</sup> Vasco Andrea, a Portuguese merchant and spokesman for a group of merchants and ship captains, brought in five captives from the Kingdom of Fez, which he maintained were legitimate prizes of war. The *Maestre Racional* had evidently agreed with him over an amount of either captives or booty which he was entitled to receive as either restitution or reprisal. At any rate a disagreement arose between the two parties and the *Maestre Racional*, acting on behalf of the king's interest, had the captives handed over to the royal official in charge of the harbor suburb of Valencia until the matter could be resolved. The argument between the two parties went on for many days, and a group of "notable individuals" entered the discussion to act as mediators in the affair. The disagreement centered around the amount of booty the king is entitled to receive, and the amount Vasco Andrea had been promised. The decision reached was that both sides would receive two-and-one-half captives, and Vasco Andrea would receive the amount promised him from the portion of the *Maestre Racional*.<sup>31</sup>

<sup>28</sup> ARV, *Maestre Racional*, R. 42, f. 87v. *d'en Johan de Cordova patro de barqua armada de Cartagena per lo dret al senyor Rey pertanyent quatre moros que li aiutgi de bona guerra. (116 solidi, 6 denari).*

<sup>29</sup> ARV, *Maestre Racional*, R. 43, f. 93. (February 7, 1423) *Item pos en data d'en Marti de uira patro de un leny armat per mans de Johan de Cordena mainer per lo dret al senyor Rey pertanyent per VIII testes de moros que per mi lo son estats aiutgats de bona guerra. (372 solidi).*

<sup>30</sup> ARV, *Maestre Racional*, R. 49, ff. 126v–127v. (June 12, 1430).

<sup>31</sup> ARV, *Maestre Racional*, R. 49, ff. 127r–v. *Et com lo dit en Vasco Andrea me notificas com per lo dit patro dela nau Viana e altres nauis de Portugal fossen preses e cativats cinch moros del realms de Ffez e aquelles tengessen occilcament en la dita nau sens manifestar me aquelles de fet yo tramis an Marti Tolsa notari lochiment meu al Grau dela mar de Valencia . . . Lestret de Gibaltor e en aquells no haver pertanyent dret al cal senyor Rey e on dret alculin pertangues eren prestes de pagar ho yo allegant lo contrari ço es que als dits patrons no pertanyia dret algu en los dits moros ans aquelles pertanyer de bona guerra al dit senyor Rey per moltes rahones per aquesta debat e altercacio dura per moltes dies entre mi e los dits patrons e mercaders. Entreuents algunes notables persones fon concordat e avegut que los dits cinch moros fossen partits per equals parts entre mi e los patrons çoes que de aquelles hagues la megtat lo senyor Rey. El laltre meylat los dits patrons dels quals vench per Indius de Amar benadulcarim. Et com per part del dit en Vasco Andrea me fos demant lo terc dels dits dos moros e mig (564 solidi, 10 denari).*

In 1431 we encounter two incidents of Muslim captives brought into Valencia, and in each case all these Muslims are listed as prizes of war. On October 1, Joan de Rucaffa brought in nine Muslims<sup>32</sup> and on November 27, Joan Sant Lucar brought in two captives.<sup>33</sup> In each case their ships are described as armed vessels, and therefore they must have been returning from privateering raids. Two years later we find Joan Lorenç; a Portuguese ship captain, bringing in twelve Muslims, again, as booty.<sup>34</sup> In 1439, Pere Busot is recorded as giving the king his share of booty from a privateering raid against the Muslims of the Barbary coast. In this venture, no captives were obtained, but Pere Busot's expeditions did succeed in obtaining some moveable valuables.<sup>35</sup>

We have few more entries for 1440. In the first (dated February 5), Pedro de Jerez brought in six Muslims, giving the king his share, and then having six sold in Valencia city.<sup>36</sup> In the second instance (April 1), Pere de la Torre gave the king his share of the three Muslims captured as booty, and he received permission to sell the three captives.<sup>37</sup> Finally, Jaume Scheva and Joan de Lorça gave the king his share of their booty obtained from a privateering expedition, which included two Muslim captives.<sup>38</sup>

<sup>32</sup> ARV, Maestre Racional, R. 51, f. 67. (October 1, 1432) *d'en Johan de Rucaffa patro de un llaut armat per mans d'en Johan Ramayo per lo dret al senyor Rey pertanyent de Nou testes de moros que li aillugi de bona guerra com pertant se avengues ab mi. (907 solidi, 6 denari).*

<sup>33</sup> ARV, Maestre Racional, R. 51, f. 67. (November 27, 1432) *d'en Johan de Sent lucar patro de un llaut armat per lo dret al senyor Rey pertanyent de dos moratells que li aillugi de bona guerra com pertanyent se avengues ab mi. (120 solidi).*

<sup>34</sup> ARV, Maestre Racional, R. 52, f. 82. (November 15, 1434) *d'en Johan lorenç de Portugal patro de un balener per lo dret al senyor Rey pertanyent per raho de dotze moros que per mi foren aiugats de bona guerra com pertant se avengues ab mi. (587 solidi, 8 denari).*

<sup>35</sup> ARV, Maestre Racional, R. 54, f. 74, (November 14, 1439) *Pere Busot mariner de Valencia per mans d'en Nicholau Villanra per lo dret del quint al senyor Rey pertanyent contant al 15<sup>a</sup> per de aquelles CIX lliuras X sous procehides preu de un caro morisch e cert for e altres robes preses per lo dit Per Busot de moros Barberia de una barqua sua armada. (146 solidi).*

<sup>36</sup> ARV, Maestre Racional, R. 56, r. 89v. (February 5, 1440) *de Pedro de Xerez mariner per lo dret del quint al senyor Rey pertanyent e fetsa de aquell al quinze per raho de VI moros presentats a mi per aquell venuts en la ciutat de Valencia (281 solidi, 4 denari).*

<sup>37</sup> ARV, Maestre Racional, R. 56, f. 89v. (April 1, 1440) *Pere dela Torre mariner per lo dret de quint al senyor Rey pertanyent comptant alquinze en aquelle—LXXXVII lliuras per les quals ha venuts tres moros. E dels quals per mi li fon donada e atorgada licencia quals posques vendre. (116 solidi).*

<sup>38</sup> ARV, Maestre Racional, R. 56, f. 93 (August 25, 1440) *d'en Jacme Scheva e d'en Johan de lorqua de fustes armades per lo dret quint al senyor Rey pertanyent comptant alquinze feta gracia a aquelles per raho he aquelles de dos moros e certa seda e alcarahuya que per mi los es stat aiutgat be bona guerra. (153 solidi, 10 denari).*

It is important to address the issue of ethnicity and slavery. While blacks are indeed encountered in the documentation, Mediterranean slavery was primarily a matter of religion and had little to do with race. Muslims enslaved Christians and Christians enslaved Muslims. The black populations of Africa began to appear in large numbers in Europe during the course of the fourteenth century. The word "slave" itself and its various Western cognates (*esclavo*, *schiaivo*, *sklava*, etc.) is derived from that ethnic group which was the most numerous external group in the medieval Mediterranean slave trade, the Slavs.<sup>39</sup> White slaves in Islam were also collectively known as *saqāliba* (the plural form of *saqalabī* "slav").<sup>40</sup> This source of supply for slaves was in time closed off to the Europeans as these pagan territories converted to Christianity.<sup>41</sup>

Slaves were supposed to be only non-Christians, but the slave trade was a lucrative business, and whenever there is a profit to be made, one will always encounter enterprising individuals. Foremost among them were the Italian merchants, especially the Venetians and the Genoese who were the slave traders *par excellence*.<sup>42</sup> In spite of the prohibitions on the exportation and sale of Christians to Muslims, there are numerous instances of European slavers involved in such transactions. This was, after all, a business venture, and what Ibn Khaldūn wrote in the fourteenth century rang true for the Christian as it did for the Muslim entrepreneur:

It should be known that commerce means the attempt to make a profit by increasing capital, through buying goods at a low price and selling

<sup>39</sup> Charles Verlinden, "L'origine de Sclavus-Esclave," *Bulletin Du Cagne: Archivum Latinatis Medii Aevi* 17 (1942): 37–128; B. Philip Lozinski, "The Name Slav," in *Essays in Russian History: A Collection Dedicated to George Venasky*, ed. A. D. Ferguson and A. Levin (Hamden CT, 1964), 21–32.

<sup>40</sup> Bernard Lewis, *The Muslim Discovery of Europe* (New York, 1982), 187–89; G. E. von Grunebaum, *Classical Islam: A History 600–1258*, trans. Katherine Watson (London, 1970), 101; *Encyclopedia of Islam*, 7 vols. (Leiden, 1960), 1:24–40.

<sup>41</sup> A. Teixeira da Mota, "Entrée d'esclaves noire à Valence (1445–1482): Le remplacement de la voie saharienne par la voie Atlantique," *Revue française d'histoire d'outre mer* 66 (1979): 195–210; Vicenta Cortés Alonso, "Procedencia de los esclavos negros en Valencia (1482–1516)," *Revista Española de Antropología Americana* 7 (1972): 123–51; P. E. H. Hair, "Black Africans at Valencia, 1482–1516: An Onomastic Inquiry," *History of Africa: A Journal of Method* 7 (1980): 119–39; Miguel Gual Camarena, "Una cofradía de negros libertos en el siglo XV," *EEMCA* 5 (1952): 457–66.

<sup>42</sup> Charles Verlinden, *L'esclavage dans l'Europe médiévale*, vol. 2 (Ghent, 1977); idem, "Some Aspects of Slavery in Medieval Italian Colonies," in *The Beginnings of Modern Colonization* (Ithaca, 1970); Domenico Gioffrè, *Il mercato degli schiavi a Genova nel secolo XV*, (Genoa, 1971).

them at a high price, whether these goods consist of slaves, grain, animals, weapons, or clothing material. The accrued amount is called "profit" (*rihb*).<sup>43</sup>

But in studying the slave traffic, the historian must be careful of getting bogged down in the statistical findings of his investigations. Charles Dufourcq has pointed out in his magisterial study on the relations between North Africa and the Crown of Aragon that this commercial traffic in slaves was, above all else, human traffic. Just as there were large movements of population across the Atlantic to the New World in the early modern period, so too there was a movement of populations in the Mediterranean as a result of the slave trade. However, this movement of populations in the Mediterranean occurred constantly throughout the history of the ancient and medieval world. Ibn Khordahbeh wrote, as early as the ninth century, that it was through the Western Mediterranean that slaves of Slavic, Roman, Frankish and Lombard origin were transported, he especially notes that it was a source for Roman and Spanish female slaves.<sup>44</sup> The Mediterranean Sea, the *mare nostrum* as the Romans referred to it, has always enabled the various civilizations and cultures which inhabit the area to interact and come into contact with each other.

In the fifteenth century, small and large numbers of slaves traversed the Mediterranean Sea. Some groups were sent from Constantinople to Venice, Crete, Sicily and, as far away as Mallorca and Catalonia. From a 1438 entry, we find that Ser Zuan Mozenigo had an investment in 150 slaves; Ser Alesandro Zen in nineteen slaves; and Ser Giamcomo Badr in thirteen slaves. In 1455 Marino Cigalla arrived in Chios with 114 slaves from the Crimea. Again, in 1455 a ship loaded with seventy-five slaves in Rhodes to the account of a Catalan merchant.<sup>45</sup> During the fourteenth and fifteenth centuries, the Catalan participation in the eastern Mediterranean trade would increase. As Eliyahu Ashtor has pointed out, the Catalans were very active trading partners with the Muslim Levant. Not surprisingly we find that ambassadors sent by the kings of Aragon were themselves

<sup>43</sup> Ibn Khaldūn, *The Muqaddimah, An Introduction to History*, trans. Franz Rosenthal, 3 vols. (Princeton, 1967), 2: chap. 5, sect. 8.

<sup>44</sup> Charles-Emmanuel Dufourcq, *L'Espagne catalane et le Maghrib aux XIII<sup>e</sup> et XIV<sup>e</sup> siècles*, (Paris, 1966), 71–82; idem, *Medieval Trade*, 30.

<sup>45</sup> Charles Verlinden, "Medieval 'Slavers'", in *Economy, Society, and Government in Medieval Italy. Essays in Memory of Robert L. Reynolds*, ed. David Herlihy, Robert S. Lopez and Vsevolod Slessarev (Kent OH, 1969), 1–2, 6–7; Origo, 330.

merchants, so that embassies were commercial as well as diplomatic missions. The majority of the ships departed from Barcelona, but galleys and merchants from Valencia, Perpignan, Mallorca, Tortosa, and other towns in the Crown of Aragon were also involved. The ports of Egypt and Syria annually received two to four Catalan ships in the early fifteenth century. From 1422 to 1433, this number rose to an annual average of five to seven ships; from 1435 to 1444 there is a dramatic drop in this number of about two or three ships; and after 1445, the number rose to four or five ships annually docking in the ports of Levant.<sup>46</sup> These commercial contacts with North Africa, the eastern Mediterranean, as well as southern France and the Italian communes clearly illustrate how the slave populations moved throughout the Mediterranean. The phenomenon of slavery must therefore be placed within the larger context of the Mediterranean world. Furthermore, we can also see slavery as another interface in the bellicose relationship of medieval Christianity and Islam which promised and delivered a fight to the finish.

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<sup>46</sup> Eliyahu Ashtor, *Levant Trade in the Later Middle Ages*, (Princeton, 1983), 35, 337, 339.

*Appendix: Arrival of Muslim Captives in Valencia—1421***ARV, Maestre Racional, R. 41, f. 92**

<i>Description</i>	<i>Price</i>
<i>Item pos en reebuda los quals a XXII dies de Octubre del dit any MCCCCXXI reebe per mi lo dit en Daniel Barcelo d'en Johan de Cordova patro de un leny de XII banchs dela ciutat de Cartegenia a per lo dret al senyor Rey pertanyent de quatre moros que li ajudgi de bona guerra e los quals reebbs per mans d'en Miralles nom de deu com per tant me aujngues ab aquell.</i>	200 solidi

**ARV, Maestre Racional, R. 41, V. 94r-v**

<i>Item a VII de ffebrer del dit any MCCCCXXI foren rebuts d'en Marti Andres per dret de passatge de barqua moro cativa de linatge de negres per trametre de juira.</i>	13 solidi
<i>Item a XXVIII de Marc del dit any foren reebuts d'en Johan Bertran per dret de passatge de tres sclavs coes llurs de Macot e Rastatla de linatge de negres moros per passar a ells a Barcelona.</i>	42 solidi
<i>Item a XVIII de Marc del dit any foren reebuts d'en Domingo d'Arago per dret de passatge de Macot moro de linatge de negres per trametre a Barcelona.</i>	14 solidi

**ARV, Maestre Racional, R. 41, f. 92**

<i>Item a quatre de Juny del dit any foren reebuts d'en Jacme Betran per dret de passatge de Abrafim moro sclav per anar a Barcelona.</i>	14 solidi
<i>Item lo primer dia de Juliol del dit any foren reebuts d'en Bernat Fenoll fuster per dret de passatge de Mahomat Abenamor moro cativ del dit en Fenoll per passar a Barcelona.</i>	14 solidi
<i>Item a quatre du Juliol de dit any MCCCCXXI foren reebuts d'en Ramon dela Marca per dret de passatge de Ali Abencares moro sclav.</i>	14 solidi
<i>Item a X del propi dit mes forens reebuts d'en Johan Clapes per dret de passatge de Abdalla moro cativ.</i>	14 solidi

*(Appendix continued)*

<i>Description</i>	<i>Price</i>
<i>Item a XXV de Agost foren d'en Ramon dela Marcha flaquer per dret de passatge de Abdalla moro cativ.</i>	<i>14 solidi</i>
<i>Item a II de Decembre del dit any foren rebuts d'en Martin Andres per dret de passatge de barqua mora cativa de linatge de negres per anar a Barcelona.</i>	<i>14 solidi</i>
<i>Item a tres de Decembre foren reebuts d'en Bernat Busquet per dret de passatge de Aballa moro sclav per passar a Mallorca</i>	<i>14 solidi</i>
<i>Item a XXIII de Octubre del dit any foren reebuts d'en Ramon dela Marcha per dret de passatge de ii cativa de liuzmen e yakie per passatge a Barcelona.</i>	<i>28 solidi</i>





## DUBROVNIK AND SPAIN: COMMERCIAL AND HUMAN CONTACTS, FOURTEENTH–SIXTEENTH CENTURIES

*Bariša Krekić*

On November 30, 1281, *dominus Bernardus de Nerbona, civis Marsilie*, bought in Dubrovnik (Ragusa) a Bosnian female slave. A few days later, on December 18, *dominus Bernardus Curtesius de Maiorica* did the same.<sup>1</sup> According to Dr. Nenad Fejić, of the Historical Institute of the Serbian Academy of Sciences and Arts in Belgrade—presently the leading specialist for the history of contacts between Spain and Dubrovnik in the Middle Ages and author of an excellent book on the subject<sup>2</sup>—these two individuals were the first men of Spanish origin to appear in the documents of the Ragusan Archives. They were followed in 1283 by *magister Arnaldus Catellanus, marangonus*, who apparently stayed in Dubrovnik seventeen years, until 1300, had a family there, owned land, hired apprentices, bought slaves etc.<sup>3</sup> By the year 1300 one finds three additional merchants, all of them *de civitate Tarragone*.<sup>4</sup> It is quite possible that there had been more than six men of Spanish origin in Dubrovnik in the thirteenth century, but because the archival documents are preserved in a systematic way only from 1278 on, there is no way for us to know about them.

The fourteenth century presents a much different picture. Between 1301 and 1400, there were in Dubrovnik no less than seventy-three individuals of Spanish origin (see Table 1). The exceptional number of twenty-four men between 1321 and 1330 can be easily explained: a group of twenty-one Spanish mercenaries was passing through the city in 1330 on their way to Serbia. Some of these men took part in the famous battle of Velbuzhd, on July 28, 1330, where the Serbs, led by their King Stefan Dečanski, utterly defeated the

<sup>1</sup> *Kancelariski i notariski spisi, 1278–1301*, ed. G. Čremošnik (Belgrade, 1932), 71.

<sup>2</sup> N. Fejić, *Španci u Dubrovniku u srednjem veku*, (Belgrade, 1988), 103; idem, “Ragusei e Spagnoli nel Medio Evo: luci ed ombre di un rapporto commerciale,” in *Ragusa e il Mediterraneo*, ed. A. Di Vittorio (Bari, 1990), 79–100.

<sup>3</sup> *Spisi dubrovačke kancelarije*, ed. J. Lučić, 2 vols. (Zagreb, 1984), 2:225, 279, 306. Lučić, *Obrti i usluge u Dubrovniku do početka XIV stoljeća*, (Zagreb, 1979), 42–3. Fejić, *Španci*, 103.

<sup>4</sup> Fejić, *Španci*, 104.

Bulgarians;<sup>5</sup> others never got to Serbia. The mercenaries were *de Aragonia*, *de Yspania*, *de Toledo*, *de Navara*, *de Chatalogna*, etc. They probably arrived in Dubrovnik either from Aragonese Sicily, or from the Catalan Duchy of Athens, rather than from Spain itself.<sup>6</sup>

Apart from this group, most other Spaniards in Dubrovnik in the fourteenth century were shipowners and captains, merchants, several *balestari*, one *trumbator*,<sup>7</sup> one *coraçarius*, etc. Most described themselves as being *de Barcelona* (*Barchiona*, *Barçolona*, *Barzellona*), a few *de Valencia*, *de Maiorica* (*Maiolicha*), or simply *de Hyspania* (*Yspania*), *de Aragonia* (*Ragona*), *Catelanus* (*Cathelanus*, *Cathellanus*, *de Cathalonia*) etc.<sup>8</sup> Most of these men came to Dubrovnik from Sicily and their return trips took them to the western Mediterranean, to the Levant and to Byzantium. What did the Spanish merchants and captains import into Dubrovnik and export from there in the fourteenth century? The main import articles were grains, salt and textiles, while exports consisted of animal skins and hides and metals: copper, lead and, especially, silver, from the rich mines of Bosnia and Serbia in the Balkan hinterland. Furthermore, Spanish merchants in Dubrovnik engaged in credit and money exchange operations with local people and foreigners.<sup>9</sup> The first such operation between two Spaniards in Dubrovnik took place in the year 1300, while the first such case between a Spaniard and a Ragusan is from the year 1343. Altogether, these operations were not very numerous, nor did they engage large capital in the fourteenth century, but they served as precursors of much more significant activities in the fifteenth century.<sup>10</sup>

The fifteenth century saw a great increase in the Spanish presence and activity in Dubrovnik, for a total of 245 individuals (see Table II).<sup>11</sup> Of a total of 324 men of Spanish origin in Dubrovnik between

<sup>5</sup> *Istorija srpskog naroda*, ed. S. Ćirković (Belgrade, 1981), 1:506–8. Fejić, “Ragusei,” 97.

<sup>6</sup> Fejić, *Španci*, 12. On these mercenaries see also M. Dinić, “Španski najamnici u srpskoj službi,” *Žbornik radova Vizantološkog instituta* (Belgrade, 1960), 6:15–28.

<sup>7</sup> M. Demović, *Glazba i glazbenici u Dubrovačkoj Republici od početka XI. do polovine XVII. stoljeća* (Zagreb, 1981), 70, 72, 205, 208.

<sup>8</sup> Fejić, *Španci*, 268–70; idem, “Ragusei,” 80–1.

<sup>9</sup> Fejić, *Španci*, 11–2. On foreigners' activities in Dubrovnik at this time see B. Krekić, “Contributions of Foreigners to Dubrovnik's Economic Growth in the Late Middle Ages,” idem, *Dubrovnik, Italy and the Balkans in the Late Middle Ages*, (London, 1980), study XIX.

<sup>10</sup> Fejić, *Španci*, 63–5. Interesting comparisons of the economic development of Dubrovnik and of the Catalan cities in idem, “Ragusei,” 86–7.

<sup>11</sup> Fejić, *Španci*, 270–9; idem, “Ragusei,” 80–1.

1281 and 1500, 75.61% were present in that city in the fifteenth century. It is interesting to compare these numbers with the presence of Greeks and Levantines in Dubrovnik between 1280 and 1460. Out of a total of 270 individuals, 171 or 63.33% visited the city in the sixty years between 1401 and 1460.<sup>12</sup> Obviously, the case of Greeks and Levantines confirms the pattern of Spanish presence in Dubrovnik: the fifteenth century was the time when the city exercised a particularly strong attraction on foreigners. There were very good reasons for this phenomenon. The fifteenth century was a period of extraordinary and rapid economic, demographic and political growth of Dubrovnik. Furthermore, despite the Ottoman expansion in south-eastern Europe and their arrival in the immediate vicinity of Dubrovnik, the city continued to act as a key intermediary between the Balkan and Mediterranean world. In Dubrovnik itself, a dynamic new activity began in the early fifteenth century: the large-scale production of woolen fabrics. From the very beginning, Italian and Spanish merchants took a very active part in this new industry.<sup>13</sup>

However, even before engaging in this activity, men and ships of Spanish origin participated in an other, much less praiseworthy operations: the slave trade. Indeed, in the early fifteenth century, numerous slaves, mostly young women, were sold in Dubrovnik to "Catalans." Some were sold by local merchants, others were abducted by the Catalans to their ships waiting off-shore.<sup>14</sup> This practice continued even after the partial abolition of slave trade in Dubrovnik, in 1416.<sup>15</sup> The most frequent justification for this trade, both in Dubrovnik and in Barcelona which was the most important end of the slave trail, was that these slaves were Bosnian heretics, *Patarens*. Dr. Fejić has recently discovered numerous documents in Barcelona confirming this rationalization, and we have known for a long time of the existence of such justification in these Ragusan actions.<sup>16</sup> Nevertheless,

<sup>12</sup> B. Krekić, *Dubrovnik (Raguse) et le Levant au Moyen Age* (Paris, 1961), 135–46.

<sup>13</sup> D. Dinić-Knežević, *Tkanine u privredi srednjovekovnog Dubrovnika* (Belgrade, 1982).

<sup>14</sup> Fejić, *Španci*, 33–4. Numerous documents in *Iz dubrovačkog arhiva*, vol. 3, ed. M. Dinić (Belgrade, 1967).

<sup>15</sup> B. Krekić, "L'abolition de l'esclavage à Dubrovnik (Raguse) au XV<sup>e</sup> siècle—mythe ou réalité?" *Byzantinische Forschungen* 12:309–17. For an extensive bibliography on slavery and slave trade in Dubrovnik and between that city and other Mediterranean regions see Fejić, *Španci*, 33–4, n. 1. A general, but not always very accurate survey of slavery in Dubrovnik and in Dalmatia in Charles Verlinden, *L'esclavage dans l'Europe médiévale* (Ghent, 1977), 2:713–800.

<sup>16</sup> Fejić, *Španci*, 35–9; idem, "Ragusei," 87–90.

as the century progressed the Spanish merchants realized that the benefits from this once very profitable trade<sup>17</sup> were diminishing, while risks and difficulties were increasing. Consequently, they turned to another most promising enterprise: importing wool for the fledgling Ragusan production of woollen fabrics.

The role of Spaniards, especially merchants from Barcelona, in these imports and also in the production of woollen fabrics was quite substantial. Although Tuscans (Aldobrandi, Davanzati, Pazzi, etc.) participated in the transportation of Spanish wool either by way of Sicily, Porto Pisano or Livorno, then through Florence to Ancona or Ravenna, and from there to Dubrovnik—the bulk of the merchandise arriving in the fifteenth century was sent by merchants from Barcelona to their agents on ships, whose trips from Barcelona to Dubrovnik lasted from two and a half to five months.<sup>18</sup> It is certainly not by chance that during the century, Barcelona had no less than seven consuls in Dubrovnik, one of them a local patrician, one a Venetian, one from Manfredonia, and four Catalans.<sup>19</sup> It is worth quoting the reasons that the Council of Five, in Barcelona, gave for appointing a consul in Dubrovnik in 1443:

Considering that many Catalan merchants and other subjects of our most serene lord the king of Aragon are trading and selling more than usual in other times in the city of Ragusa established in the Gulf of Venice and in territories beyond the sea, let some suitable person be chosen in the said city of Ragusa as a consul of the Catalans.<sup>20</sup>

Indeed, as is visible from Table 2, the number of Spanish merchants in Dubrovnik had greatly increased in the fifteenth century and some of them were among the wealthiest and most active businessmen and creditors in the city.<sup>21</sup> One example will suffice to illustrate this point.

<sup>17</sup> Fejić, "Ragusei," 88, says that the difference in prices of slaves in Dubrovnik and in Barcelona could go as high as 1:4.

<sup>18</sup> Dinić-Knežević, *Tkanine*, 91–103. Fejić, *Španci*, 77–93; idem, "Ragusei," 91–3, 95. See also Claude Carrère, *Barcelone, centre économique à l'époque des difficultés, 1380–1462*, 2 vols. (Paris-The Hague, 1967), 1:233, 236, 237; 2:600–9, 647.

<sup>19</sup> I. Mitić, *Konzulati i konzularna služba starog Dubrovnika* (Dubrovnik, 1973), 36–7. See also M. Spremić, *Dubrovnik i Aragonci, 1442–1495* (Belgrade, 1971), 53–6. Fejić, *Španci*, 21–2; idem, "Ragusei," 85–6.

<sup>20</sup> Quoted after Fejić, *Španci*, 206–07. See also Carrère, 1:117, 132, 149. *Attendentes quod plures mercatores Cathalanos et alios serenissimi domini nostri regis Aragonum subditos, ab aliquibus citra temporibus mercari et negotiari plus solito in civitate Raguxii in Gulfo Veneciarum in ultramarinis partibus constituta . . . eligatur in dicta civitate Raguxii aliqua idonea persona in consulem Cathalanorum.*

<sup>21</sup> Fejić, "Ragusei," 92–3.

Johannes Exarter (Sparterius), who lived in Dubrovnik from 1439 until his death in 1469, was probably the most important and most prestigious person of Spanish origin in the city. In 1459 the Council of Five in Barcelona appointed "the venerable master John Sparter as consul of the Catalans" (*dominum venerabilem Johannem Sparter in consulem Cathalanorum*) in Dubrovnik.<sup>22</sup> Exarter, a native of Zaragoza in Aragon, maintained contacts with his homeland throughout his long stay in Dubrovnik. He was one of the leading creditors in the city; between 1445 and 1464 he sued various people for a total of 4,828 ducats that they owed him (7% of the total amount of credits advanced by Spaniards in Dubrovnik at the time—see Table III). This was certainly not the complete amount of credits that he had provided. His far-flung businesses ranged from Barcelona, North Africa, Byzantium and Sicily, to Naples, Apulia, Venice, etc.<sup>23</sup> Exarter unquestionably was much more important as a merchant than as a consul, but the combination of the two functions probably helped him to attain the prestigious position he occupied. Of course, Exarter was not the only prominent man of Spanish origin in the economic life of Dubrovnik. Calculations, based on Dr. Fejić's data indicate that credit operations of Spanish merchants in Dubrovnik between 1418 and 1480 amounted to over 14% of the total of such operations in the city (see Table 3).<sup>24</sup> This is quite a sizeable share in a very strong and dynamic market.

Before leaving the fifteenth century, yet another group of Spaniards deserves mention: the doctors. *Orlandus Hispanus, medicus cyrogicus* tried twice between 1466 and 1469 to get a job in Dubrovnik, either as a doctor, or as an organ player, but failed in both attempts. *Andrea Catellanus de Barchinona, medicus cyrugicus* served in Dubrovnik twice, in 1481 and in 1494–96; *Johannes de Hyspania, medicus cyrugicus* worked in the city from 1482 to 1484; *Jacobus Catellanus de Barchinona, medicus cyrogicus*, was the longest-serving Spanish doctor in Dubrovnik, from 1486 until 1501; and *magister Franciscus de Valentia, medicus phisicus* worked in the city between 1497 and 1503.<sup>25</sup> Despite all these positive aspects

<sup>22</sup> Fejić, *Španci*, 215.

<sup>23</sup> Ibid., 155–58. See also Spremić, *Dubrovnik*, 71–3. Krekić, *Dubrovnik et le Levant*, 345, 350, 354–5, 376–7, 392–3.

<sup>24</sup> Fejić, *Španci*, 264–65. On credit operations in Dubrovnik in general see I. Voje, *Kreditna trgovina u srednjovekovnom Dubrovniku* (Sarajevo, 1976).

<sup>25</sup> R. Jeremić and J. Tadić, *Prilozi za istoriju zdravstvene kulture starog Dubrovnika*, 3 vols. (Belgrade, 1939), 2:39, 41–3; 3:143–4; Spremić, *Dubrovnik*, 184; Demović, *Glazba*, 53; Fejić, *Španci*, 189, 193.

of Ragusan-Spanish relations, Fejić has quite correctly pointed out that, while Ragusans had a myriad of unpleasant experiences with Catalan pirates on the seas, at least some Catalans had unpleasant experiences with the local people and authorities in Dubrovnik, which resulted in lively, sometimes amusing, and at times even scandalous documents surviving in the Ragusan archives.<sup>26</sup>

Until now mention has been made only of Spaniards in Dubrovnik and of links they had established and maintained between Spain and that city, while no Ragusans going to Spain or working there have been referred to, although indications exist of some exports of coral, silver and even gold from Dubrovnik to Spanish ports.<sup>27</sup> The reason for not mentioning Ragusans going to Spain is very simple: there is hardly any information on that aspect of Ragusan-Spanish relations in the fourteenth and fifteenth centuries. While Ragusans went in large numbers and had very important businesses in the Balkan hinterland and in various parts of Italy, especially Venice and while they visited Byzantium and the Levant with considerable regularity, there is no information on similar activity in Spain.<sup>28</sup> However, this was at least in part compensated by the very intense exchanges between Dubrovnik and the Aragonese-controlled areas of southern Italy and Sicily. Their daily contacts, close economic ties and political collaboration have been thoroughly analyzed in the book on Dubrovnik and the Crown of Aragon, published by Professor Momčilo Spremić, of the University of Belgrade.<sup>29</sup> Another interesting point in connection with Ragusan-Aragonese relations in southern Italy deserves mention: the first scholarly treatise on trade was written in 1458 by a Ragusan, Benko Kotruljević (*Bencius de Cotruglio*) in Naples, under the title *Libro dell'arte di mercatura*, better known later as *Della mercatura e del mercante perfetto*.<sup>30</sup>

<sup>26</sup> Fejić, "Ragusci," 97–9.

<sup>27</sup> *Ibid.*, 96.

<sup>28</sup> *Ibid.*, 85, also stresses the paucity of Ragusan merchants in Catalan cities.

<sup>29</sup> Spremić, *Dubrovnik*. More recently, *idem*, "Le relazioni economiche tra Ragusa e l'Italia meridionale nel Medioevo," *Ragusa e il Mediterraneo*, 101–13. See also B. Krekić, "Ragusa e gli Aragonesi verso la meta del XV secolo," *idem*, *Dubrovnik, Italy and the Balkans*, study X.

<sup>30</sup> The first edition of Kotruljević's book appeared in Venice, in 1573; the second in Brescia in 1602. Most recently, between 1985 and 1990, there appeared no less than three editions and translations: B. Kotruljević, *O trgovini i o savršenu trgovcu*, trans. R. Radičević and Z. Muljačić (Zagreb, 1985); *O trgovini i o savršenom trgovcu*, ed. and trans. by Ž. Muljačić, (Dubrovnik, 1989); and Benedetto Cotrugli Raguseo, *Il libro dell'arte di mercatura*, ed. by U. Tucci (Venice, 1990).

Pilgrimages to Santiago de Compostella were not uncommon in Dubrovnik in the fifteenth and sixteenth centuries, but the importance and possible impact of that phenomenon have yet to be studied. With the sixteenth century we enter a new and in many ways different period in the relations between Dubrovnik and Spain.<sup>31</sup> During this period, relations between Dubrovnik and Spain increased greatly, especially Dubrovnik's role in the Spanish naval trade. Indeed, Dubrovnik had become a big naval commercial power, even—according to some opinions—the foremost in the Mediterranean for a while in this century.<sup>32</sup> Its ships now frequented Spanish ports with great regularity and visited them also when travelling to England, Flanders and even the American continent.<sup>33</sup>

For its part, Spain had become by this time an enormous, united and powerful country and Dubrovnik maintained lively diplomatic relations with the Spanish court. The Spanish monarchs acted as Dubrovnik's principal protectors in the West—much as the Ottoman sultans did in the East—especially during the reign of Charles V and Philip II.<sup>34</sup> Always very carefully preserving its strict neutrality, Dubrovnik did not actively participate in the famous battle of Lepanto, in October 1571,<sup>35</sup> but its ships did take part in the "Spanish Armada" against England in 1588. According to local tradition, no less than twelve Ragusan ships and 3200 sailors were engaged in that expedition and the loss of men was so high, that 300 women on the tiny Ragusan island of Lopud alone became widows! However, Dr. Veselin Kostić, in his excellent book on Dubrovnik and England, has shown beyond any doubt that, at the most, three Ragusan ships had participated in the Armada and two of those were lost.<sup>36</sup>

<sup>31</sup> J. Tadić, *Španija i Dubrovnik u XVI v.* (Belgrade, 1932). The only scholarly work on the subject was published over sixty years ago.

<sup>32</sup> See B. Krekić, "Le port de Dubrovnik (Raguse), entreprise d'état—plaque tournante du commerce de la ville (XIV<sup>e</sup>–XVI<sup>e</sup> siècles)," *I porti come impresa economica*, (Florence, 1988), 653–73; idem, "Ragusa (Dubrovnik) e il mare: aspetti e problemi (XIV–XVI secolo)," *Ragusa e il Mediterraneo*, 131–51.

<sup>33</sup> V. Kostić, *Dubrovnik i Engleska, 1300–1650* (Belgrade, 1975).

<sup>34</sup> Interestingly enough, Dr. Fejić, "Ragusei," 100, thinks that, between the 1470's and mid-sixteenth century—contrary to the opinions of Tadić and Kostić—the Spanish commercial relations with Dubrovnik "si andassero gradualmente riducendo per poi spegnersi quasi del tutto, insieme con i rapporti umani che ne erano derivati."

<sup>35</sup> Tadić, *Španija*, 97–101. T. Popović, *Turska i Dubrovnik u XVI veku* (Belgrade, 1973), 282–91.

<sup>36</sup> Tadić, *Španija*, 120–22. Kostić, *Dubrovnik*, 398–27; idem, "Ragusa and the Spanish Armada," *Dubrovnik's Relations with England*, ed. by R. Filipović and M. Partridge (Zagreb, 1977), 47–61.

In the sixteenth century Dubrovnik performed for Spain and for all of western Europe another very valuable role: it served as a vital source of information on the Ottoman Empire. With its extraordinarily skilled, experienced and efficient intelligence-gathering organization, Dubrovnik was an entrepôt for a constant and steady stream of information, which flowed from the East, to the city, and then moved on to the West. Of course, this activity entailed considerable risks for Dubrovnik. Thus, it is not surprising to see the ever cautious Ragusans write to Charles V, in August 1547, asking him to exempt a local patrician from the obligation of sending him information. The Emperor should appoint one of his own men in Dubrovnik for that task and the Ragusans "will not fail showing him punctually the necessary favor and assistance and informing him in detail about things that come to their attention," as they had always done with similar agents of other rulers in Dubrovnik.<sup>37</sup> Apparently, Charles was reluctant to deprive himself of the services of the Ragusan patrician and one finds repeated references to this matter in letters of the Ragusan government to its ambassador in the Emperor's court in late 1547 and early 1548.<sup>38</sup> Dubrovnik's role as a source of information for Spanish rulers (as well as for many others) continued during the reign of Philip II. In a letter of September, 1560, the Ragusans wrote to the king:

Our predecessors used to always inform your majesties (i.e. Spanish kings) of news and events in the Levant, convinced that no greater service could be performed for a great prince than to give him such information. We have persevered and shall persevere in this activity.<sup>39</sup>

In spite of such grandiloquent statements, only six years later, in 1566, the Ragusans apologized to Philip for not being able to send him news. A Turkish fleet had entered the Adriatic Sea with the intent—according to Dubrovnik's government—of conquering that city. This happened, the Ragusans wrote to the king, "because rumors have spread throughout the world of information" that Dubrovnik was sending to Spain. The Ragusans asked Philip "to excuse us if we do not send you information for a while, as we have done in the past, the cause of this being the grave menace that the city and

<sup>37</sup> *Dubrovačka akta i povelje*, ed. J. Radonić (Belgrade, 1935), vol. 2, pt. 1:496.

<sup>38</sup> *Ibid.*, 497–504.

<sup>39</sup> *Ibid.*, vol. 2, pt. 2:73.



its territory might be ruined (by the Ottomans)".<sup>40</sup> On the other hand, to appease the Turks, the Ragusans were sending them a constant stream of information as well, including information on Spanish affairs, such as that contained in the letter of September 11, 1570:

Twelve galleys of the Pope, as is understood, have joined with forty nine galleys of King Philip, which makes all together sixty one galleys, and they have travelled past Corfu around the eighteenth of last month, sailing towards Candia to join the Venetian fleet, which is in Candia.<sup>41</sup>

Such precise and detailed information was given, of course, in greatest secrecy.

Dubrovnik's commercial and human contacts with Spain continued throughout the sixteenth century, and later, but that is beyond the scope of this paper. Dubrovnik's relations with Spain and with people of Spanish origin in southern Italy, and the presence of Spaniards in Dubrovnik itself constituted an important component of that city's overall economic activity between the fourteenth and sixteenth centuries. At the same time, for the Spaniards Dubrovnik came to represent a useful and profitable partner in trade and navigation. In addition, Dubrovnik provided much valuable information on the Ottomans. For the Ragusans, on the other hand, Spain gradually became the principal protector of their interests in the West. Thus, the movement of people, goods and information between Dubrovnik and Spain can be seen as part of a general Mediterranean pattern of contacts and exchanges in the late Middle Ages and the Renaissance.

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<sup>40</sup> Ibid., vol. 2, pt. 2:138; Tadić, *Španija*, 94.

<sup>41</sup> *Dubrovačka*, vol. 2, pt. 2:238.

Table 1\*

**Spaniards in Dubrovnik in the Fourteenth Century**

<i>Years</i>	<i>Numbers</i>
1301–1310	9
1311–1320	0
1321–1330	24
1331–1340	6
1341–1350	8
1351–1360	1
1361–1370	0
1371–1380	7
1381–1390	10
1391–1400	8
TOTAL	73

\* Based on Fejić, *Španci*, 268–70.

Table 2\*\*

**Spaniards in Dubrovnik in the Fifteenth Century**

<i>Years</i>	<i>Numbers</i>
1408–1410	8
1411–1420	26
1421–1430	36
1431–1440	34
1441–1450	48
1451–1460	45
1461–1470	19
1471–1480	15
1481–1490	3
1491–1500	11
TOTAL	245

\*\* Based on Fejić, *Španci*, 270–79.

Table 3\*\*\*

**Spanish Credit Operations Compared to Total Credit  
Operations in Dubrovnik, 1418-1480**

SPANIARDS			TOTALS
<i>Years</i>	<i>Ducats</i>	<i>% of Totals</i>	<i>In ducats</i>
1418-20	4,786	6.20	77,092
1421-30	6,194	2.18	283,953
1431-40	58,779	45.70	128,603
1441-50	45,526	30.29	150,388
1451-60	39,666	14.82	267,474
1461-70	5,719	4.78	119,518
1471-80	2,817	3.51	80,140
TOTALS	163,487	14.76	1,107,168

\*\*\* Based on Fejić, *Španci*, 264-65. See also I. Voje, *Kreditna*, especially 228-58 and tables V-IX.



## THE SPANISH KINGDOMS AND THE WIDER WORLD IN THE LATER MIDDLE AGES

*William D. Phillips, Jr.*

On October 12, 1492, Christopher Columbus and the other crew members of the three small vessels of his first voyage on an island in the Bahamas called Guanahani by its inhabitants and dubbed San Salvador by Columbus. Thereafter they sighted numerous other small islands and learned from the Indians that a much larger landmass—Cuba—lay to the south and west. Columbus arrived off Cuba on October 28. Columbus was unsure about just what he had reached. At first, he believed Cuba to be Cipango, or Japan, his main target when he began the first voyage. Later he came to believe that Cuba was part of the mainland of Asia and that the island he named Española was Cipango. Despite his uncertainty over the details, until his death he remained convinced that he had accomplished his primary goal—to reach Asia by sailing west from Europe.<sup>1</sup>

Columbus's dream of the "enterprise of the Indies" was neither new nor exclusively his own. Since the time of the Crusades, other southern Europeans had been curious about the world beyond the shores of the Mediterranean. Asia had loomed large in the European imagination as a source of lucrative spices and other luxuries; as the home of massive populations of potential Christian converts; and as the source of powerful kingdoms and empires whose leaders might be engaged as allies in the long conflict against Islam. In the thirteenth and fourteenth centuries, a stream of western merchants and missionaries had made the long overland trek through central Asia to China and had returned with hardheaded reports and fabulous accounts. For two centuries before Columbus, Europeans had been thinking of ways to reach Asia that would avoid both the long and uncertain journey along the caravan routes and the impenetrable barrier of the Muslim lands in North Africa and the Middle East. Some Europeans had even made the attempt to sail to Asia. In 1291—in the very year that the fall of Acre marked the end of the Crusades

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<sup>1</sup> William D. Phillips, Jr. and Carla Rahn Phillips, *The Worlds of Christopher Columbus* (Cambridge, 1992).

and 199 years before Columbus's first voyage—the Vivaldi brothers of Genoese attempted a galley voyage to India by trying to circumnavigate Africa. They failed, disappearing into the unknown somewhere south of the Canaries. For two centuries before 1492, therefore, the idea of sailing to Asia had lurked somewhere in the imagination of at least some southern Europeans. Columbus was not the first to imagine such an enterprise and he was not even the first to attempt a westward voyage. Slowly and gradually through the last centuries of the Middle Ages, southern European knowledge of the rest of the world had been growing. Although the Americas remained unknown, more and more became known of Asia and Africa.

The Iberian kingdoms shared in the gradual increase in knowledge of the non-European world that characterized the later Middle Ages. Castile shared in the knowledge of that wider world. As a consequence, the Castilian court had the geopolitical outlook necessary to judge Columbus's proposals on their merits. Columbus, therefore, did not present Fernando and Isabel with anything new or startling. A survey of the Spanish kingdoms and their connections with and knowledge of the wider world in the last three pre-Columbian centuries of the European Middle Ages is important in itself, and it relates to two major components of the agenda for the study of medieval Spain over the next several decades. First, Iberian history must be placed more firmly in its European context. The Spanish kingdoms were European, and a careful comparative approach will reveal the similarities. Second, and equally important, Iberian history must be placed in its widest possible global context. Even though Africa did not begin at the Pyrenees, Iberia had important and long-lasting ties with Africa and the Middle East and through them with important portions of the rest of the world.

### *Granada*

The logical place to begin is with the Islamic kingdom of Granada. Granada, because of its religion affiliation, had ready-made ties with a vast set of territories under the sway of Islamic rulers. From Morocco east to India and south to the savannah regions of sub-Saharan Africa, the religion of Islam and with it classical Arabic and Islamic law lend unity to a diverse set of regions and ethnicities that together could easily have encompassed a quarter of the world's population.

Granadans participated in the Hajj, the pilgrimage to Mecca. From the early days of Islam to the present, the Meccan pilgrimage has served to instill among faithful Muslims an appreciation for the geographical expanse and ethnic diversity present in the Islamic world. From the commercial and intellectual centers of the Islamic world, merchants and scholars and artists and entertainers had come regularly to the capitals of Islamic Spain. Some still came to Granada in the later Middle Ages, although it had ceased to be a vital participant in the intellectual life of the Muslim world, which itself was in decline in the fourteenth and fifteenth centuries. Cosmopolitanism still flourished in the city of Granada at the middle of the fourteenth century. The world traveler Ibn Battuta reported on the presence in Granada of communities of itinerant Sufi holy men from as far away as Persia and India.<sup>2</sup> But for Islamic Spain and the Islamic world generally, the great days of philosophical speculation and scientific advance of the tenth and eleventh centuries was long over.

Through their co-religionists in North Africa, Granadans had connections with sub-Saharan Africa. The Muslims developed a strong interest in Africa early in the period of their expansion. By the early eighth century, after they had taken the whole of the southern of the Mediterranean and while they were conquering Spain, a Muslim leader, Habib b. Ali Ubaida, crossed the western Sahara from Morocco via Mauretania and arrived in the Sudanic belt of grasslands in search of gold. In order to trade with the gold suppliers of the Sudan, in 757 they founded the city of Sijilmasa in southern Morocco to serve as an entrepot and staging area for commerce with the Sudan.<sup>3</sup> Trade developed along the trans-Saharan routes. First established at an early date, perhaps as early as 1000 B.C., the Saharan routes began to be seriously exploited in the eighth century and flourished from the tenth.<sup>4</sup>

<sup>2</sup> Ross E. Dunn, *The Travels of Ibn Battuta: A Muslim Traveler of the 14th Century* (Berkeley and Los Angeles, 1986), 286.

<sup>3</sup> Raymond Mauny, *Les siècles obscurs de l'Afrique noire: Histoire et archéologie* (Paris, 1971), 141–42; Nehemia Levtzion, *Ancient Ghana and Mali* (London, 1973), 126.

<sup>4</sup> Levtzion, 124–52 has an excellent discussion of the trade. The most comprehensive account of the trans-Saharan trade, although it deals with a later period and relies heavily on British sources, is Abu Boahen, *Britain, the Sahara, and the Sudan, 1788–1861* (Oxford, 1964). For the pre-Islamic evidence, see R. C. C. Law, "The Garamantes and Transsaharan Enterprise in Classical Times," *JAH* 8 (1967): 181–200; and E. W. F. Garrard, "Myth and Metrology: The Early Trans-Saharan Gold Trade during the Roman Era," *International Journal of African Historical Studies* 8/4 (1975): 582–600. The best quantitative survey of the Saharan slave trade is Ralph

The Saharan routes contained four varieties of stages. The northern termini—such as Mogador, Fez, Algiers, Tunis, and Tripoli—were located on or near the seacoast, facilitating the distribution of African goods to Middle Eastern and European markets. The North African merchants prepared their goods and traveled to rendezvous points located near the northern edge of the Sahara. In towns such as Sijilmasa, Ghadames, and Tenduf, the caravans began the desert trek, stopping on the way at refreshment stations in the desert to take in food and water, to repair damaged equipment, and to rest before the next part of the desert crossing was attempted. Stations in the desert were often local markets as well, and goods could be bought and sold there. Guides usually specialized in only one section of the route, and they were picked up and dropped off at the refreshment stations. After the desert was behind them, the caravan traders reached the commercial emporia of the Sudan. In Jenne, Timbuktu, Gao, Kano, and other cities that owed their prosperity to commerce, the northern traders unloaded and sold their goods, purchased Sudanese goods, and prepared their caravans for the return trip north. The desert caravan merchants were most often Arabs and Berbers, whose permanent homes were in North Africa. The goods they brought in from the north were acquired at wholesale by Sudanese merchants, who then distributed them to native retailers throughout the savannah and south to the forest regions, while collecting local goods to be sold to the caravan merchants.

An invaluable mid-fourteenth century account of the Saharan caravans comes from a Moroccan from Ceuta, Ibn Battuta, who made an epic journey throughout the world from the Atlantic to China, visiting Muslim communities along the way. After returning from

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A. Austen's "The Saharan Slave Trade: A Tentative Census," in *The Uncommon Market: Essays in the Economic History of the Atlantic Slave Trade*, ed. Henry A. Gemery and Jan S. Hogendorn (New York, 1979), 23–76. See also Raymond Mauny, "Les deux Afriques," in *Les grandes voies maritimes dans le monde, XV<sup>e</sup>–XIX<sup>e</sup> siècles* ed. M. Mollat (Colloque international d'histoire maritime, 7th, Vienna, 1965) (Paris, 1965), 179–83. Two particular components of the trade are covered by Michael Brett, "Ifriqiya as Market for Saharan Trade from the Tenth to the Twelfth Century A.D.," *JAH* 10 (1969): 347–64; and B. G. Martin, "Kanem, Bornu, and the Fazzan: Notes on the Political History of a Trade Route," *JAH* 10 (1969): 15–27; J. C. Anene, "Liaison and Competition between Land and Sea Routes in International Trade from the Fifteenth Century: The Central Sudan and North Africa," in *Grandes voies maritimes*, ed. Mollat, 191–9; Anthony G. Hopkins, *An Economic History of West Africa* (New York, 1973), 47–8, 85; Daniel Neumark, "Trans-Sahara Trade in the Middle Ages," in *An Economic History of Tropical Africa*, ed. Z. A. Konczacki and J. M. Konczacki, 2 vols. (London, 1977), 1:129–30.



Asia to Morocco, he undertook a tour of West Africa. From Marrakesh he traveled by way of Fez to Sijilmasa, one of the souther Moroccan staging points for the Sahara crossing. Having purchased camels and a supply of food for four months, he left Sijilmasa in February 1352 in a caravan with a number of Moroccan merchants. Twenty-five days later he reached Taghaza, the center of a Saharan salt-producing region. Ibn Battuta remained ten days at Taghaza while the caravan was reprovisioned. In the next stage the caravan reached Taghaza while after ten days. This stretch was harsh; water was usually unavailable, although it rained during ibn-Battuta's crossing. At Tasarhala they rested three days and hired an experienced guide, who despite being blind in one eye and diseased in the other, led them safely through the remainder of the desert and into Sahel at Walata. The journey through the desert from Sijilmasa to Walata had taken the caravan two months.<sup>5</sup>

The trans-Saharan trade was made possible by four factors: the camel as a useful transport animal, the Saharan peoples living along the route who could serve as intermediaries, Islam as the common religion of the North Africans, the Berbers, and the Sudanese merchants and rulers, and the existence of well-organized states in the Sudan. Yet these factors by themselves cannot account for the trade. Trading commodities were needed, and in this regard each side had something to offer the other. The North Africans provided the sub-Saharan states with dates, figs, sugar, and cowries (shells used for currency). Manufactured goods were quite important: copper utensils, ironwork, paper goods, Arabic books, tools, weapons, and cloths of cotton and silk. The Sudanese had cotton cloth of their own but imported dyed fabrics had an appeal for them. Jewelry, mirrors, and glass, especially Venetian glass, went south with the caravans. North African horses were easily sold, because the military strength of the Sudanese states depended on cavalry, and horses were in great demand below the Sahara. The North Africans provided another commodity that they purchased along the caravan route. This was salt, a necessity that could not be produced in the Sudan, but for which the region had a continuing demand. Although salt could be obtained by drying sea water, maritime salt was not well suited for

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<sup>5</sup> Dunn, 297-9; Ibn-Battuta, *Travels in Asia and Africa*, trans. and ed. H. A. R. Gibb (1927; New York, 1969), 317-9; Claude Meillassoux, "L'itinéraire d'Ibn Battuta, de Walata a Malli," *JAH* 13 (1972): 389-95.

wide distribution in the humid regions, especially in the forest belt. Far better were the bars of rock salt obtained—often by slave labor—from the mines of the Sahara. Caravans transporting Mediterranean goods would load salt bars as they passed through the producing regions and carry them to the commercial towns of the Sahel, where they would be distributed throughout Sudan. Beyond, on the forest belt, salt was in such great demand that Sudanese merchants could often exchange it very profitably for gold.

Gold and slaves remained the significant exports from the Sudan to the Mediterranean, despite the presence of a long list of other items: ivory, ostrich feathers, skins and leather, kola nuts, ebony wood, and a variety of pepper. Gold was probably the most important export. Muslim states obtained West African gold from the end of the eighth century. From the tenth century through the fifteenth, Muslims derived much of their gold from West African sources and received it by way of trans-Saharan trade routes. The Muslims of the Maghrib, the Umayyad caliphs of Spain, and the Fatimids of Tunisia and Egypt all used gold from the Sudan. The Sudanic states grew wealthy and powerful as a result of their ability to supply the metal and thus to pay for their imports from the Maghrib. From the thirteenth century, Europe, too, received African gold.<sup>6</sup> Finally, Granada was linked with other parts of the Eurasian world. Maritime connections linked the Muslim centers of the Mediterranean, and through the Red Sea and the Persian Gulf Muslims maintained regular commercial links with South Asia and beyond.<sup>7</sup>

### *The Christian Kingdoms*

Popular surveys of Spanish history sometimes concentrate on loosely-defined notions of national psychology, searching for what might be

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<sup>6</sup> Levstzion, 127–29, 142–3; Neumark, 127–38; Marc Bloch, *Land and Work in Medieval Europe*, trans. J. E. Anderson (New York, 1969), 186–229; Fernand Braudel, “De l’or de Soudan a l’argent d’Amerique,” *Annales* 1 (1946): 377–95; Vitorino de Maghales Godino, “I Mediterraneo saeriano e as caravanas de ouro,” *Revista de Historia* 11 (1955): 307–53, and 12 (1956): 59–107; Vitorino de Maghales Godino, *L’économie de l’empire portugais au XV<sup>e</sup> et XVI<sup>e</sup> siècles* (Paris, 1969); Marian Malowist, “Quelques observations sur le commerce de l’or dans le Soudan occidental au Moyen Âge,” *Annales* 25/6 (1970): 1630–6. For the long-term history of one of the gold regions, see Philip D. Curtin, “The Lure of Bambuk gold,” *JAH* 14 (1973): 623–31.

<sup>7</sup> Convenient introductions are provided by K. N. Chaudhuri, in *Trade and Civil-*

called "the Spanish character," and fostering the impression that Spain was much different from the rest of Europe.<sup>8</sup> Whereas, national and regional distinctions surely existed, medieval Christian Spain certainly shared many characteristics with other European countries, including a monarchical form of government, the rule of law, and Christianity through the institutional Catholic church. In addition to the connections between medieval Iberia and the Islamic world, Spaniards also maintained close relations with the rest of Christian Europe throughout the Middle Ages. Their ties to Rome were similar to those that linked the papacy with all parts of western Europe. Spanish cardinals resided in Rome, and Spanish clerics played a large role in the life of the Roman Catholic church. The Dominicans—whose founder was a Castilian—became interested in education, and their colleges at the University of Paris and elsewhere attracted many Spanish students to study abroad. In the middle of the fourteenth century, Cardinal Gil de Albornoz, archbishop of Toledo, founded the College of St. Clement at Bologna. Popularly known as the Spanish college, it provided lodging and support for Spanish students of theology and law.

A reciprocal movement brought foreign students to Spanish universities. The first university in the Iberian peninsula was at Palencia, chartered by Alfonso VIII in the early thirteenth century. The University of Salamanca, also founded in the early thirteenth century, became the most prestigious in the peninsula, receiving royal support and attaining an international reputation quite early. Other

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sation in the Indian Ocean: *An Economic History from the Rise of Islam to 1750* (Cambridge, 1985); and idem, *Asia before Europe: Economy and Civilisation of the Indian Ocean from the Rise of Islam to 1750* (Cambridge, 1990).

<sup>8</sup> I must be explicit here that I am *not* referring to scholarly surveys by professionals, such as Joseph F. O'Callaghan and Jocelyn N. Hillgarth. What I have in mind are accounts by non-specialists. My local B. Dalton's bookstore normally has two books on Spain in its history section. One is John Crow's *Spain: The Root and the Flower*, (New York, 1963) a book by a leading exponent of the "Spain is Different" school, and Gerald Brenan's *The Spanish Labyrinth* (Cambridge, 1950). Brenan was an acute and perceptive observer of the Spanish Civil War, and his book was written as an effort to understand the historical circumstances that led to the fall of the Republic and the triumph of the forces headed by Franco. In the book Brenan stated his belief that Spaniards were incapable of self-government. In the post-Franco period, Brenan revised his views and stated his regret for having made such a statement. His recantation appeared in an interview published in the Sunday supplement of *El País*. Americans wishing to learn about Spain will have easy access to *The Spanish Labyrinth* but almost no possibility of reading Brenan's recantation.

universities appeared in Valladolid, Lérida, and Huesca.<sup>9</sup> In addition to intellectual ties, Spanish Iberia also maintained political ties with the rest of Europe. The Castilian crown alternated between France and England in its diplomatic orientation, and royal marriages periodically linked the Castilian monarchy with both kingdoms. In the twelfth and thirteenth centuries, the rulers of Catalonia controlled large portions of southern France. Beyond all these connections, Spain demonstrated its European orientation most clearly through commerce. Because of the different commercial networks that the Crown of Aragón, Castile and Portugal participated in, it is necessary to deal with them separately.

### *The Crown of Aragon*

For most hispanicists, I do not need to go into great detail concerning the Mediterranean empire of the Crown of Aragon. The corpus of Father Burns's scholarship had provided a full and rich understanding of the conquests of James I in Valencia and their aftermath. King James also initiated the island campaigns that brought the Balearics under the crown of Aragon. His successor Peter III took Sicily in the 1280s. Sicily and southern Italy proved the farthest eastward expansion of the official Aragonese empire, although the *almogávares* led by Roger de Flor and others formed themselves as the Catalan Grand Company and established what were independent Catalan counties in Greece that lasted almost a century. In the fifteenth century, Aragonese monarchs added Naples and Sardinia to their Mediterranean empire.<sup>10</sup>

Merchants from Barcelona, Majorca, and Valencia maintained a strong presence throughout Mediterranean and Atlantic Europe. They operated in a variety of trading networks, from the coast of southern France to northern Italy, from the islands of Corsica and Sardinia to Sicily, and into the Islamic Mediterranean with enclaves in Alexandria and Damascus. They had a number of North African enclaves, including Tunis, Bougie, and Tlemcen. The North African connec-

<sup>9</sup> Candido M. Ajo y Sainz de Zuñiga, *Medioevo y Renacimiento*, vol. 1 of *Historia de las universidades hispanicas*. 11 vols. (Madrid, 1957-1979).

<sup>10</sup> The bibliography of Robert I. Burns can be found elsewhere in this volume. For an introduction to the medieval history of the eastern Iberian area, see Thomas N. Bisson, *The Medieval Crown of Aragon* (Oxford, 1986).

tion was important for the tropical products it provided, and for the gold of West Africa. Merchants from Barcelona and other cities in the Crown of Aragon traded in northwestern Europe, with establishments in Bruges and later in Antwerp. They were also present in considerable numbers in Seville and Lisbon.

Catalonia and several small Italian cities also played important roles in eastern Mediterranean trade, particularly when they handled a product with high market demand. For example, the Catalans controlled much of the coral supply coming from the Western Mediterranean.<sup>11</sup> Catalonia, whose trade ran far behind that of Venice and Genoa, was sending just over two ships a year to the Levant at the end of the fourteenth century, and five to seven during the 1420s. Thereafter, Catalan trade slackened briefly, before rising again to about 4.5 ships per year in the 1450s and early 1460s. By the late fifteenth century, it had fallen to fewer than two ships per year to all ports, probably because of the Catalan civil war.<sup>12</sup> The late fifteenth century witnessed a development of much greater importance than the decline of the Catalan trading empire. We know now that it marked the beginning of a shift in the nexus of European trade from the Mediterranean to the Atlantic. Merchants from the Mediterranean had been trading beyond the Strait of Gibraltar for several centuries, with Italians, Catalans, Castilians, and Basques well established in port cities on the Atlantic coast. As the business climate in the eastern Mediterranean deteriorated during the fifteenth century, Mediterranean merchants intensified their efforts in the Atlantic. That calls for a consideration first of Portugal and then of Castile.

### *Portugal*

Like the other Iberian kingdoms, Portugal had interest in the world beyond Europe. With new types of ships available and with improved

<sup>11</sup> Jesús Lalinde Abadía, *La Corona de Aragón en el Mediterráneo medieval* (Zaragoza, 1979); Charles E. DuFourcq, *L'Espagne catalane et le Maghrib aux XIII<sup>e</sup> et XIV<sup>e</sup> siècles* (Paris, 1966); Géraud Lavergne, "La pêche et le commerce de corail à Marseille aux XIV<sup>e</sup> siècles," *Annales du Midi* 64 (1952): 199–211; Jacques Heers, "Le commerce des Basques en Méditerranée au XV<sup>e</sup> siècle," *Bulletin hispanique* 57 (1955): 292–324; idem, *L'Occident*, 175–6, 198, 202; Claude Carrère, *Barcelone, centre économique à l'époque des difficultés, 1380–1642*, 2 vols. (Paris/The Hague, 1967), 2:717–9; Mario Del Treppo, *Els mercaders catalans i expansió de la corona catalano-aragonesa al segle XV*, (Naples, 1972), 542–6.

<sup>12</sup> Ashtor, 488; Del Treppo, 371.

navigational aids, by the early fifteenth century, the Portuguese had the means of exploring the African coast. When they reached the region of northerly winds south of Cape Bojador, they could now sail back, using the small daily changes in wind direction. It was a laborious task, to be sure, but for the first time it was possible, and the Portuguese were quick to exploit their advantages.

The Portuguese royal house was a driving force behind the country's African expansion. In the thirteenth and fourteenth centuries, a close relationship had developed between the crown and commercial interests. The crown was concerned with fostering trade, licensing commerce, and securing financing through the representatives of Italian banking and merchant houses resident in Lisbon. Through royal initiative, a system of maritime insurance took shape and helped to shield investors from catastrophic losses. Portuguese merchants traded in England, France, and the Low Countries and ventured into the Mediterranean. By the fifteenth century, Portugal had the economic experience and the maritime expertise to begin the African expansion.<sup>13</sup>

The first Portuguese possession in Africa was Ceuta, flanked by Jebel Musa, the southern pillar of Hercules across the strait from Gibraltar. Ceuta's conquest was the result of a raid planned by King John I and his finance minister, João Afonso. Their motives were numerous, and many of them were long-standing. Expansion into Morocco offered enticing possibilities for solving or at least alleviating a number of significant economic concerns that Europe generally and Portugal particularly faced at the beginning of the fifteenth century. The nobility, from the greatest lords to the simplest knights, were particularly hard pressed. In the aftermath of the Black Death, when the population was reduced by a quarter to a third from its pre-plague peak, labor was expensive and scarce, especially because the growth of the cities, with greater opportunities brought about by

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<sup>13</sup> Vitorino de Magalhães Godinho, *Os descobrimentos e a economia mundial*, 4 vols., 2d. ed. (Lisbon, 1983–87); idem, *L'économie de l'empire portugais au XV<sup>e</sup> et XVI<sup>e</sup> siècles* (Paris, 1969); Vitorino de Magalhães Godinho, *A economia dos descobrimentos henriquinos* (Lisbon, 1962). See also the general accounts in Charles R. Boxer, *The Portuguese Seaborne Empire, 1425–1825* (New York, 1969); Bailey W. Diffie and George D. Winius, *Foundations of the Portuguese Empire* (Minneapolis, 1977); Antonio H. de Oliveira Marques, *History of Portugal*, 2 vols. (New York, 1972). For specialized accounts, see J. D. Fage, "Slavery and the Slave Trade in the Context of West African History," *JAH* 21 (1980): 289–310; Robert Ricard, *Études sur l'histoire des portugais au Maroc* (Coimbra, 1955), 93–4; idem, "Le commerce de Berberie et l'organisation économique de l'empire portugais au XV<sup>e</sup> et XVI<sup>e</sup> siècles," *Annales de l'institut d'Études Orientales* 2 (1936): 266–90.

the rise of trade and commerce, drained peasants from the countryside. With more goods available, the nobles needed money to purchase the luxury items that were becoming indispensable for their style of life, but their income was still based on the land and was tied up in fixed rents that could not be expanded easily. Because of inflation and frequent devaluations of the coinage, merchants and the crown needed more gold, and gold, as previously mentioned, came principally from the sub-Saharan goldfields of Africa via the desert caravan routes. With the caravans a Muslim monopoly, Europeans could only secure gold through intermediaries. Portugal also had a chronic shortage of grain. Additional supplies could be obtained only by bringing new lands under cultivation or by purchase in foreign markets, and the latter intensified the need for gold. Sugar cultivation was certainly present in southern Portugal by 1400, and the sugar planters looked for new lands to extend their activities. Expansion of grain and sugar agriculture was also related to a demand for slaves, who could be used as cheap labor at a time when free laborers were demanding higher wages, and slaves could also be viewed as investments. In addition dyestuffs and other goods necessary for the textile industry were in demand, while the long-established high seas fishing fleets needed expanded fisheries. After 1415 and throughout the fifteenth century, the Portuguese began to trade in the ports of Morocco's west coast. In Tangier, Sale, and other places, they began to engage in legitimate trade, facing competition from the Genoese but displacing them by mid-century. Probably the most important Portuguese purchases in Morocco were wheat and barley. They also bought textiles, horses and cattle, and some Sudanese gold.

After Ceuta was secured, the Portuguese crown, nobles, and merchants began to plan for further exploration in the Atlantic and West Africa. With West Africa and its goldfields as major goals, the Portuguese reached Cape Bojador in 1434 and Cape Blanco in 1441. In 1443 Nuño Tristão entered Arguin Bay. In 1440–1441 two Portuguese expeditions, one commanded by Antão Gonçalves and the other by Nuño Tristão, took captives from among the Berbers and returned to Portugal with them. In the 1440s Portuguese vessels on the African coast often engaged in slave raiding. The practice persisted occasionally after that, but by the 1450s it was becoming apparent that a less violent and more sophisticated means of acquiring slaves was evolving. The slave trade came to replace slave raiding.

The events at Arguin after the Portuguese established a factory, or commission merchant's station, on the island exemplified the change. Even though Arguin was within the Sahara, local Berber merchants could provide the Portuguese with Sudanese goods and slaves, brought there via a branch route of the caravan network. In addition, the island could not be used as a support base for voyages still farther to the south and for coastal fishing, an important aspect often overlooked in the story of Portuguese expansion.<sup>14</sup> From the base at Arguin, the Portuguese penetrated the African interior for a time. They had an inland trading station at Wadan, a crossroads for the caravan network, but it was ultimately unsuccessful. At Arguin itself the commercial opportunities were limited; it was never more than the terminus of a branch route off the main West African caravan paths. The availability of trade goods was greater in black Africa farther to the south; and by the mid-sixteenth century, when the developing Atlantic trade increased the volume of commerce, Arguin began to decline, especially because it had never achieved self-sufficiency.<sup>15</sup>

Between 1448 and 1460 the Portuguese reached the next section of the African coast: the area directly north and south of Cape Verde, where two major rivers, the Senegal and the Gambia, and two lesser ones, the Casamance and the Geba, flowed into the Atlantic. The Portuguese called this stretch the Cape Verde coast, and modern historians call its northern portion Senegambia. It was tied more closely with the commercial and political centers of the Sudan than any other coastal region. With the Jolofs dwelling between the Senegal and Gambia, the Portuguese traded horses for slaves. Below the Jolof region the Portuguese established relations with the Mande people and others, exchanging horses for slaves, but that trade too declined rather quickly. In the great fairs at Cantor the Portuguese secured gold of great purity and in substantial quantities, and for it they traded a variety of products: horses, cloth, brass *manhillas* (semicircular pieces of brass, a standard trade item), caps and hats. On the Casamance River the Portuguese traded these same items and also

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<sup>14</sup> Godinho, *Descobrimentos henriquinos*, 192; Oliveira Marques, 1:158-9; J. D. Fage, *A History of West Africa*, 4th ed. (Cambridge, 1969), 51; Valentim Fernandes, *Description de la Cote d'Afrique de Ceuta au Senegal*, trans. and ed. P. de Cernival and T. Monod (Paris, 1983), 61-71.

<sup>15</sup> John William Blake, *West Africa: Quest for God and Gold* (Totowa NJ, 1977). On Senegambia generally, but mostly for the later period, see Phillip D. Curtin, *Economic Change in Precolonial Africa: Senegambia in the Era of the Slave Trade* (Madison, 1975).



iron; in return they received slaves, native cotton, and civet. Along the Geba River they found their first malaguetta pepper.<sup>16</sup> Below the Geba River as far as Sierra Leone, the coast was not particularly lucrative for trading, except for the gold in the region of the Scarcies River, but Sierra Leone itself was much more profitable. First discovered in 1461–62, the region drew increasing numbers of Portuguese after 1470. They obtained gold, slaves, and *malaguetta* in quantity, along with minor goods such as cobalt and exotic parrots, which fetched a high price back in Europe. To pay for these items, the Portuguese brought into Sierra Leone the same goods as elsewhere and also salt.

The Portuguese were not often concerned with building colonies or even trading stations in this region; only in the islands were true colonies founded. The Cape Verde Islands filled the need for a factory, secure and easy to defend, and they also served for colonization. Economically, the Cape Verdes served as a dual purpose: as an entrepot for coastal trading, and as a stage for agricultural development by colonists from Portugal. The dyestuff orchilla, found growing wild in the Canaries, was transplanted to the Cape Verdes and used locally or sent back to Europe. Imported cultivators also included cotton and indigo. Livestock breeding became an important pursuit, and horses were bred for trade with the Jolofs of Senegambia. Salt was produced on one of the islands. Slavery affected the Cape Verde economy in two ways. First, slaves from the mainland served as labor on the islands, both in agricultural and in cloth manufacturing. The cloth produced there became an important export to the Guinea coast. Second slaves were brought to the islands for reexport. This was a crucial part of the economy, and, in fact, most of the islands' production of agricultural and manufactured goods went not to Europe, but back to Africa to purchase more slaves.<sup>17</sup>

The Treaty of Alcáçovas that ended a Portuguese-Castilian war in 1479 gave Portugal a virtual monopoly on trade with Africa south of the Canaries, while ratifying Castilian control of the Canaries. To protect trade in Lower Guinea against foreign interlopers and unlicensed

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<sup>16</sup> Robin Law, *The Horse in West African History: The Role of the Horse in the Societies of Precolonial West Africa* (Oxford, 1980), 48, 51–2.

<sup>17</sup> T. Bentley Duncan, *The Atlantic Islands: Madeira, the Azores, and the Cape Verdes in Seventeenth-Century Commerce and Navigation* (Chicago, 1972), 198. For a general history, see Antonio Carreira, *Cabo Verde: Formação e extinção de uma sociedade escravocrata* (Lisbon, 1972).

Portuguese traders, in 1481 John II sent out an expedition to build a factory and fortress on the Costa da Mina. The mission's commander, Diego de Azambuja, secured the agreement of the local Fante chief, Caramansa, and began construction of the complex named São Jorge da Mina, which soon became the key to Portuguese control of the region. Artisans brought from Portugal built the fortress from native stone on a rock mound at the mouth of the Benya River, from which it could protect the anchorage at the river's mouth, where ships of up to three hundred tons could anchor safely.<sup>18</sup>

The trade conducted at the Mina station provided the Portuguese with a large and steady flow of gold brought from the interior by African merchants. The Portuguese brought the gold and other products with goods they imported: metals, cloth, blue glass beads, and ornaments. One demand of the African traders deserves special note: they wanted slaves. The Portuguese offered them African slaves in partial exchange for gold. These they found in the rivers of the Niger Delta, where they could buy slaves and return them to the Costa da Mina. Much of the trading was done within the walls of the trade fortress. For some years, however, the king of Commany refused to enter the courtyard; his trading was done under the shade of the trees at some distance from the walls. In all cases the trading was conducted by the Portuguese factor and his assistants. Their primary aim was to secure a good price in gold for their merchandise. The African merchants measured gold dust with their fingers, and the Portuguese weighed larger pieces of gold on a set of balances. The factor then recorded the transaction and stored the gold in a large locked chest—the *acra com tres chaves*—until it was taken back to Lisbon. The amount of gold received yearly in the early sixteenth century was phenomenal. It has been estimated at ten percent of the world's supply.<sup>19</sup>

Other Portuguese imports included metals. Copper was the most important, imported in the form of basins and *manhillas* of set value, but there was also metal hardware in lead, iron, and steel. Cloth purchased in North Africa and southern Portugal was also brought to Mina, and a lively trade in used clothing from Portugal was also important. Various shells were sold at Mina and beads of several

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<sup>18</sup> John Vogt, *Portuguese Rule on the Gold Coast, 1469–1682* (Athens GA, 1979). São Jorge da Mina is often called Elmina, an English corruption of the original.

<sup>19</sup> Vogt, *Gold Coast*, 59–92; Godinho, *L'empire portugais*, 175–243.

varieties, called *coris* by the Portuguese. These should not be confused with *cowrie* shells, an import that served in several parts of West Africa as a currency. Wines were first brought in for the consumption of the Portuguese residents, but soon demand for them grew among the Africans. They were accustomed to palm wine, an indigenous alcoholic beverage, but they developed a taste for the sweet varieties of Portuguese wines.<sup>20</sup>

By the second quarter of the sixteenth century, the Portuguese had established a well-functioning trading network centered on West Africa, ranging from Morocco to Angola, with its tendrils stretching from central Europe to India. A product of the foundations laid in the fifteenth century, it was the key element in the economic underpinnings of the Portuguese empire. Although the Portuguese were the Iberians with the most extensive extra-European contacts in the fifteenth century, the Castilians also shared the desire to extend links of trade beyond their own shores.

### *The Crown of Castile*

For Castile, foreign commerce was well established by the fifteenth century, having first developed along with religious pilgrimages. For centuries, pilgrims had journeyed to the shrine of St. James (St. Jacques to the French, Santiago to the Spanish) in Galicia. Santiago de Compostela, with its large cathedral, was the destination of the Europeans who traveled along the *camino de Santiago*.<sup>21</sup> That famous route began in Paris at the Tour St. Jacques. Leaving Paris via the Rue

<sup>20</sup> John L. Vogt, "Notes on the Portuguese Cloth Trade in West Africa, 1480-1540," *International Journal of African Historical Studies* 8 (1975): 623-51; idem, *Gold Coast*, 63-4, 67-71. On the copper trade, see Eugenia W. Herbert, *Red Gold of Africa: Copper in Precolonial History and Culture* (Madison, 1983). The Portuguese also bought central-European silver in Antwerp for use in India, where silver enjoyed a high value in relation to gold. J. A. van Houtte, "The Rise and Decline of the Market of Bruges," *Economic History Review*, 2d series, 19 (1966): 29-47, especially 43. For an overview of the imports to the West African coast, see Paul E. Lovejoy, *Transformations in Slavery: A History of Slavery in Africa* (Cambridge, 1983), 103-6.

<sup>21</sup> Luciano Huidobro y Serna, *Las peregrinaciones iacobeas*, 3 vols. (Madrid, 1949-51); Walter F. Starkey, *The Road to Santiago: Pilgrims of St. James* (New York, 1957); Marilyn Stokstad, *Santiago de Compostela in the Age of the Great Pilgrimage* (Norman OK, 1978); Raymond Oursel, *Les chemins de Compostelle* (Saint Leger, Vauban, 1989); *The Codex Calixtinus and the Shrine of St. James*, ed. John Williams and Alison Stones (Tübingen, 1992).

St. Jacques, it crossed western France and entered Spain via the Pyrenean pass of Roncevalles. It then ran westward across northern Spain, passing through many famous towns and monasteries. From before the twelfth century, merchants had joined the pilgrims, and Castile became linked commercially with France and the rest of Europe. By the fifteenth century, commercial relations were highly developed, and merchant fairs linked the interior and exterior trade of Castile. Medina del Campo hosted the most important fair, which met for a total of one hundred days during two periods between May and October. Spanish merchants traveled to Medina from Seville, Burgos, Valencia, and Barcelona and joined Flemings, Florentines, Genoese, Irish, and Portuguese from Lisbon. Medina was the kingdom's financial center in the second half of the fifteenth century.<sup>22</sup>

The Atlantic—from the Cantabrian ports to the Atlantic coast of France and to Flanders, the British Isles, and the North Sea—was one of the two important zones of trade. The focus of northern Castilian trade with northwest Europe was the inland city of Burgos, which maintained strong links to the coast. The merchants of Burgos grouped themselves into a *universidad de mercaderes*, which grew into the *Consulado* of Burgos chartered by Ferdinand and Isabella in 1494.<sup>23</sup> Burgalese merchants enjoyed pre-eminence among the merchants of northern Castile, and the city enjoyed a near monopoly on Castilian exports via the north. It was the center of the wool trade and the peninsular trade in Cantabrian iron, and Burgalese merchants assured the regular transport of those goods by making agreements with seamen and ship owners on the coast.

The ability of the Castilian merchants to supply wool and other goods to the French, Flemish, and English markets depended upon the development of maritime transport, and the northern ship builders and ships' masters had a well-deserved reputation for compe-

<sup>22</sup> For the fairs, the classic work is Cristóbal Espejo and Julián Paz, *Las antiguas ferias de Medina del Campo* (Valladolid, 1912).

<sup>23</sup> There are four excellent recent books on medieval Burgos: Teófilo F. Ruiz, *Sociedad y poder real en Castilla* (Barcelona, 1981); Hilario Casado Alonso, *Señores, mercaderes y campesinos: La comarca de Burgos a fines de la Edad Media* (Valladolid, 1987); *Burgos en la Edad Media*, ed. Carlos Estepa, Teófilo Ruiz, Juan A. Bonachía, and Hilario Casado Alonso (Valladolid, 1984); and *La ciudad de Burgos: Actas del Congreso de Historia de Burgos* (Valladolid, 1985). A useful starting place in English for the medieval history of Burgos is the work of Teófilo F. Ruiz: "The Transformation of the Castilian Municipalities: The Case of Burgos, 1248-1350," *Past and Present* 77 (1977): 3-32. See also, Manuel Basas-Fernández, *El Consulado de Burgos en el siglo XVI* (Madrid, 1963).

tence. The ports along the Cantabrian coast were home to Basque and Castilian maritime communities. For centuries, the seamen of the northern ports served as transporters, contracting for the carrying trade with Castilian and foreign merchants but seldom initiating trade themselves. As early as 1296, representatives of the *cuatro villas de la costa* (Castro Urdiales, Santander, Laredo, and San Vicente de la Barquera) founded the *Hermandad de las Marismas* (the Brotherhood of the Coast), which later expanded to cover much of the northern shore. In the fifteenth century, this organization had a threefold division, with ports grouped in Santander, Vizcaya, and Guipúzcoa. It determined the regulations binding the trading ports, judged disputes, and even conducted diplomacy, concluding treaties with England in 1351 and 1474. Moreover, the crown could always call on the towns of the *Hermandad de las Marismas* to furnish ships for royal charter in time of need.<sup>24</sup>

The port that became the most important on the north coast—Bilbao—did not even exist until 1300, when it was chartered by the lord of Vizcaya, Diego López de Haro, at the point where a strategic bridge crossed the Nervión River. Merchants from Burgos were present in Bilbao from the town's beginnings, and a mutually advantageous relationship developed in which the people of Bilbao leased ships to the Burgalese merchants. In developing the shipping industry, Bilbao's hinterland proved to be very valuable. The heavily forested hills provided timber and naval stores. Iron was available in veins from the present province of Santander to Vizcaya. The proximity of wood, water, and iron ensured that the Vizcayans could work their iron and allowed the development of a significant iron industry. Around one-third of Vizcayan iron was exported, usually in the form of bars, but occasionally as pure ore. Another third remained and was used for the production of ship fittings and other hardware. The remainder was converted into products for export: nails, anchors, artillery, armor, and arms (which competed with Toledan products).

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<sup>24</sup> José Angel García de Cortázar, *Vizcaya en el siglo XV: Aspectos sociales e económicos* (Bilbao, 1966); Antonio Ballesteros Baretta, *La marina cántabra y Juan de la Cosa* (Santander, 1954); Teófilo Guiard y Larrauri, *Historia del Consulado y Casa de Contratación de Bilbao y del comercio de la villa* (Bilbao, 1913); Teófilo Guiard y Larrauri, *La industria naval vizcaína* (Bilbao, 1968); Luis Suárez Fernández, *Navegación y comercio en el Golfo de Vizcaya: Un estudio sobre la política marinera de la Casa de Trastámara* (Madrid, 1959); Betasabe Caunedo del Potro, *Mercaderes castellanos en el Golfo de Vizcaya (1475-1492)* (Madrid, 1983).

The region lacked an ample food supply, because it was too hilly and damp to grow grain in abundance, but this provided an incentive for trade. Wheat could be purchased in Old Castile or from the ports of western France and paid for by the earnings from maritime commerce. During the late fifteenth century, when civil wars in Castile interrupted the normal grain trade from the center to the coast, the maritime provinces found a supply in Brittany.<sup>25</sup>

Wool was only part, although probably the major part, of the cargoes transported by the northern mariners. Europe's whole Atlantic coastal basin formed an economic unit, with the various regions supplying one another's needs in a complementary fashion. At the same time, however, political rivalry among those regions led to almost uninterrupted piracy aimed at the merchant marines of one's neighbors, even in peacetime. Vexing too were the wars of the late Middle Ages, particularly the Hundred Years' War (1337–1453), which is often presented solely as a land conflict between France and England. Nonetheless, the stakes included far more than title to French territory and involved every maritime power in the European Atlantic from the Low Countries to Portugal. Castilian shippers actively participated in the Gascon wine trade to England, and carried a good deal of it. Castilian naval and diplomatic support helped to account for the eventual French victory in the Hundred Years' War.<sup>26</sup>

The Castilian fleet was powerful, thanks in large part to its advanced naval technology and experience in high seas navigation. The trading association of the northern coast was similar in many respects to the German Hansa and warred against the Hansa for thirty years in the fifteenth century. German ships were probably trading with the northern coast of Castile early in the century, and at least one Hanseatic vessel reached Seville in 1419. The Castilians were concerned about this trade, because royal policy from 1398 on decreed that Castilian goods should be carried in Castilian ships whenever possible. The most spectacular result of the hostility was the Castilian defeat of a Hanseatic fleet off La Rochelle in 1418, with

<sup>25</sup> For the latest synthesis and a useful bibliography, see José Angel García de Cortázar et al., *Vizcaya en la Edad Media*, 4 vols. (San Sebastián, 1985). The classic work on Bilbao is Teófilo Guiard y Larrauri, *Historia de la noble villa de Bilbao*, 4 vols. (1906–1912; Bilbao, 1971).

<sup>26</sup> The first attempt to document the role of Castile in the Hundred Years' War was by Suárez Fernández, *Navegación*. Margery Kirkbride James, *Studies in the Medieval Wine Trade* (Oxford, 1971); María del Carmen Carlé, "Mercaderes en Castilla, 1252–1512," *CHE* 22 (1954): 146–328.

the capture of forty German ships. The Hansa placed an embargo on Castilian wool, but Castile won in the end. By a treaty signed in Bruges in 1443 and confirmed by John II in 1444, the war ended and trade began anew, with the principle of Castile's monopoly on the transport of Castilian goods affirmed, even though the Germans received limited trade privileges in Castilian territory.<sup>27</sup>

Castilian merchants traded in several important commercial zones in northwest Europe. England was the focus of much trade from the northern coast of Castile, but because of the virtual Italian monopoly on the foreign commerce of London and Southampton, Bristol conducted most of the Anglo-Castilian trade. The exchange followed a seasonal pattern. In the winter months Castilian and English ships brought comestibles to Bristol: citrus fruits, figs, dates, raisins, honey, almonds, and vinegar. In summer, the northbound freight would consist of iron and manufactured goods, from nails and combs to anchors and crossbows, plus olive oil and wine, soap and leather, alum for the cloth industry, and salt for fisheries. The return cargoes were wool cloth and a variety of other items useful to Castile: herring and hake, grain and beans, and lead and tin. The English even imported quantities of Spanish wool and yarn. The bulk of the trade linked Bristol with the Cantabrian coast. The crown of Aragon played no role at all, Seville played a minor role, and Galicia served only as the destination of pilgrims bound for Compostela. English and Spanish merchants used their own ships or rented those of their trading partners indiscriminately, and by the end of the fifteenth century there was a roughly equal number of English and Spanish ships engaged in the trade.<sup>28</sup>

For political and economic reasons, the trade of Bordeaux and Gascony was strongly linked with England as well, and here too Castilian subjects from the towns of the north played an important role. The actual volume of trade between Castile and Gascony was small. Iron was perhaps the greatest item of trade, while a small amount of spices, drugs, and silk, and a few horses, reached Bordeaux from

<sup>27</sup> Philippe Dollinger, *The German Hansa*, trans. and ed. D. S. Ault and S. H. Steinberg (Stanford, 1970).

<sup>28</sup> Wendy R. Childs, *Anglo-Castilian Trade in the Later Middle Ages* (Manchester, 1978); Teófilo F. Ruiz, "Castilian Merchants in England, 1248-1350," in *Order and Innovation in the Middle Ages: Essays in Honor of Joseph R. Strayer*, ed. W. C. Jordan, B. McNab, and T. F. Ruiz (Princeton, 1976); M. M. Postan, *Medieval Trade and Finance* (Cambridge, 1973); Eleanor Mary Carus-Wilson, *Medieval Merchant Venturers*, 2d ed. (London, 1967).

Andalusia. Basque and Castilian vessels participated in carrying vast amounts of wine from Bordeaux to England and smaller amounts to other northern markets. Other parts of France felt the economic impact of the Castilians as well. They were present in Brittany in the fourteenth century and became dominant there in the fifteenth. Breton-Castilian trade followed the same pattern already described for England and southern France: wool, wine, iron, and fruit from Castile were sent north in exchange for Breton wheat and manufactured goods, with Castilian seamen monopolized the carrying trade. Brittany, especially Nantes and its suburb of La Fosse, derived great benefits from the Castilian presence. From 1430 on, a Castilian consul resided in Nantes, and the first consul named was a merchant from Burgos. Similar relations existed with La Rochelle and other French Atlantic ports. Castile also maintained an overland trade into France, but due to the difficulty and expense of land transport in the later Middle Ages, it was less important than maritime commerce. One route, dominated by agents of Burgalese merchants, ran from Burgos to Paris and Arras via Bayonne, Poitiers, and Orleans. Some trade from Castile, mainly alum, also reached Toulouse in the period, but the overland route was difficult and little used.<sup>29</sup>

The commerce with Flanders clearly outdistanced all other routes pursued by Castilians in the Atlantic. The primary exports from Castile to Flanders included wool, iron, wine, and fruit, some used locally and the rest transshipped to the Baltic and the North Sea; the primary imports to Castile were various types of Flemish cloth. Merchants from Castile may have been in Flanders as early as the twelfth century; certainly they became important there from the thirteenth century. From very early times Flanders manufactured cloth, and during its early development it depended on England to supply raw wool. But as England's cloth industry began to develop, their kings placed restrictions on the export of English wool. Castilians then moved

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<sup>29</sup> Franscique Xavier Michel, *Histoire du commerce et de la navigation à Bordeaux, principalement sous l'administration anglaise* (Bordeaux, 1870), 1:145, 153; Michel Mollat, *Le commerce maritime normande à la fin du Moyen Âge* (Paris, 1952); Mollat, "Le rôle international des marchands espagnols dans les ports de l'Europe occidentale à l'époque des Rois Catholiques," *Anuario de historia económica y social de España* 3 (1970): 41-55; M. Delafosse, "Trafic rochelais au XV<sup>e</sup> et XVI<sup>e</sup> siècles: Marchands poitevins et laines d'Espagne," *Annales* 1 (1952): 61-4; Etienne Trocme and Marcel Delafosse, *Le commerce rochelais de la fin du XV<sup>e</sup> siècle au début du XVII<sup>e</sup>* (Paris, 1952); Henri Touchard, *Le commerce maritime breton à la fin du Moyen Âge* (Paris, 1967); Philippe Wolff, *Commerces et marchands de Toulouse (vers 1350-vers 1450)*, (Paris, 1954).



to fill Flemish demand with wool from the merino flocks of Castile. The Castilian merchants in Bruges supplied more and more of the raw material for the Flemish wool industry, increasing in importance as Castilian wool progressively replaced English wool in the staple of Bruges.<sup>30</sup> Flanders was more than a manufacturing region. The major currents of European commerce met there as well: the Baltic trade of the Hansa; the Italian, French, and English trades; and the Iberian trade from the south.

In Bruges the Flemish authorities divided foreign merchants into "nations" according to their political allegiances. Thus Castilians and Basques originally were considered together as subjects of the Castilian king, although they had different concerns—the Castilians as merchants and the Vizcayans as shippers. Moreover, Castilians tended to remain in Bruges as long-term residents, whereas Vizcayans were only temporary visitors while their ships were in port. After lengthy disputes and litigation, in 1455 Enrique IV of Castile ordered his subjects in Bruges to divide themselves into two distinct groups: Castilians and Vizcayans. The nation of Castile—or Spain, as it was usually called—included merchants from the cities of Burgos, Seville, Toledo, Segovia, Soria, Valladolid, Medina del Campo, Logroño, Nájera, and Navarrete, while Vizcaya included merchants from the areas of Vizcaya, Guipúzcoa, Alava, and the "coast of Spain". Despite the new arrangement, tensions persisted between the two groups well into the sixteenth century, and their rivalry often surfaced across the Atlantic as well.<sup>31</sup>

Due to piracy and war, insecurity on the Castile-Flanders run was constant; throughout the fifteenth and sixteenth centuries Castilian shipmasters often encountered difficulties with English naval vessels or with French and English pirates. Their response, with legislation passed in the Castilian *Cortes* and with subsequent royal approval and support, was the creation of a convoy system, the precursor of the *Flota* of the Spanish Indies.<sup>32</sup> Despite the hazards, enough ships

<sup>30</sup> *Cartulaire de l'ancien consulat d'Espagne à Bruges*, ed. Louis Gilliodts-van Severen (Bruges, 1901); Joseph Maréchal, "La colonie espagnole de Bruges, du XIV<sup>e</sup> au XVI<sup>e</sup> siècle," *Revue du Nord* 25 (1953): 5–40.

<sup>31</sup> García de Cortázar, *Vizcaya* 214–6, 222, 226; Maréchal, "La colonie espagnole de Bruges." For the Spaniards in Antwerp, see J. A. Goris, *Étude sur les colonies marchands méridionales (Portugais, Espagnols, Italiens) à Anvers de 1468–1567* (Louvain, 1925).

<sup>32</sup> Real Academia de la Historia, ed., *Cortes de los antiguos reinos de León y de Castilla*, 5 vols. (Madrid, 1861–1903), 3:263–5. *Cortes* of Toledo (1436), petitions 4–5.

got through to Flanders to enhance the position of the Castilian community in Bruges and to allow the Castilian *Cortes* of 1453 to describe the transit taxes on exported and imported goods (the *diezmos de la mar*) as the largest single source of royal income in Castile.<sup>33</sup>

The other great area of Castilian trade was the Mediterranean, where the fleet of Castile was active from the mid-fourteenth century onward. Genoese merchants were firmly entrenched in Seville, where they prospered as bankers and monopolists in certain commercial goods, among them the mercury and cinnabar taken from the mines of Almadén and the wine trade from Jerez de la Frontera, which they shared with the Florentines. From just after its reconquest in 1248 Seville had a Genoese quarter, and rich Genoese merchants intermarried with the local nobility. Other foreigners included Italians from Pisa, Milan, and Venice; Englishmen; Portuguese; and some Frenchmen; as well as other Spaniards—Catalans and above all Cantabrians.<sup>34</sup>

Seville, Cádiz, and Cartagena were the most important ports of the south. Seville predominated until the fifteenth century. Thereafter, even though it remained the financial capital, the increasing size of ships and the consequent difficulty of passage up the Guadalquivir River allowed Cádiz and Sanlúcar de Barrameda at the mouth of the river to seize the advantage. Such was the importance of the latter ports, that virtually every Christian ship on its way through the Strait of Gibraltar stopped at one or the other. There was also a brisk exchange between Seville and Lisbon, where the Portuguese supplied apples, fish, and slaves from sub-Saharan Africa. The products of the Castilian south—salt, wheat, barley, beans, peas, tuna, olive oil, wool, silk, and wine—generally sailed for Italy. The return cargoes were Italian manufactured goods, spices, and other oriental products that the Italians obtained in the eastern Mediterranean. For the most part the Genoese and other Italians resident in Spain traded the products of the south in the markets of northern Europe. Local Spanish merchants participated in the trade, but they did not have the international connections of their Burgalese compatriots.

<sup>33</sup> Ibid., 3:659–60. *Cortes* of Burgos (1453).

<sup>34</sup> Miguel Angel Ladero Quesada, *La Ciudad Medieval (1248–1492)* vol. 2 of *Historia de Sevilla* (Seville, 1976); Antonio Collantes de Terán Sánchez, *Sevilla en la Baja Edad Media* (Seville, 1977); Ruth Pike, *Enterprise and Adventure: The Genoese in Seville and the Opening of the New World* (Ithaca NY and London, 1966); F. Melis, *Mercaderes italianos en España (Siglos XV–XVI)* (Seville, 1976).

Spaniards were also voyaging into unknown portions of the Atlantic, and the first steps in Castilian overseas conquest had been undertaken in Africa and the Canaries. Europeans first entered the uncharted portions of the Atlantic in the thirteenth and fourteenth centuries, landing in the Atlantic islands of the Canaries and the Madeiras. Portuguese and Castilian ship captains initially visited the islands for easily obtainable items such as wood and the red dye called "dragon's blood," the resin of the dragon tree. Some occasionally used the islands as pirate bases. Castilians began to claim the Canaries as their own, and by the end of the fifteenth century, they firmly controlled the islands.<sup>35</sup>

Castilians developed a heightened interest in Africa after having established themselves in the Canaries, and trade and conflict continued to involve both Africa and the Atlantic islands. In the last years of the fourteenth century, subjects of the king of Castile from the Basque region and Andalusia contested the Portuguese for the goods of West Africa—gold, slaves, spices, marble, and dyes—which had formerly reached Europe via Muslim traders. Castile's monarchs also subsidized sailors to explore and exploit the coast of West Africa. By the mid-fifteenth century there was a regular route from Senegal through the Canaries to Cadiz for the transport of slaves, ivory, and especially gold. In Cadiz most of the gold passed into the hands of the Genoese merchants who maintained a virtual monopoly on the financial activity of the south. The Canaries provided several new products for the European economy, among them orseille, a violet dye taken from algae native to the area. Demand for this new industrial raw material increased greatly as dyes from the eastern Mediterranean became scarce and expensive as a result of Turkish expansion.<sup>36</sup>

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<sup>35</sup> For the general context of late medieval European expansion, see Felipe Fernández-Armesto, *Before Columbus: Exploration and Colonization from the Mediterranean to the Atlantic, 1229–1492* (Philadelphia, 1987); Vitorino de Magalhães Godinho, *A economia dos descobrimentos henriquinos* (Lisbon, 1962); Vitorino Magalhães Godinho, *Os descobrimentos e a economia mundial*, 4 vols. (Lisbon, 1983–87); Charles Verlinden, *The Beginnings of Modern Colonization: Eleven Essays with an Introduction*, trans. Yvonne Freccero (Ithaca, 1970); Pierre Chaunu, *European Overseas Expansion in the Later Middle Ages* (Amsterdam, 1979).

<sup>36</sup> Felipe Fernández-Armesto, *The Canary Islands after the Conquest: The Making of a Colonial Society in the Early Sixteenth Century* (Oxford, 1982); Fernández-Armesto, *Before Columbus*, 151–217; John Mercer, *The Canary Islanders: Their Prehistory, Conquest and Survival* (London, 1980); Antonio Rumeu de Armas, *España en el África atlántica*, 2 vols. (Madrid, 1956); Antonio Rumeu de Armas, *La conquista de Tenerife* (Santa Cruz, 1975);

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When Columbus brought his proposal for a westward voyage of exploration before the Spanish monarchs in the 1480s, he spoke to a court that was relatively well informed about the rest of the world. Marco Polo's journey to China was certainly known in Spain, as were the fanciful tales of Sir John Mandeville. Francesco Pegolotti's fourteenth century manual of commerce, with its description of Asian products and their origins was also known. In the late fourteenth century, a Catalan writer produced a merchant's guide that revealed some knowledge of China. For two centuries before Columbus the cartographers of Mallorca had been producing wonderful maps and atlases which depicted the Mediterranean and Europe with great accuracy and even included some reliable information about Africa south of the Sahara. Early in the fifteenth century two Castilian embassies visited the court of the Mongol emperor Tamurlaine at Samarkand. Ruy González de Clavijo, a member of one of the expeditions, wrote a *Historia del gran Tamorlán*, which contained geographical knowledge about the Middle East. In short, on the eve of the European discovery of America, Spain had as sound a knowledge of the rest of the world as any European country.<sup>37</sup>

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E. Aznar Vallejo, *La incorporación de las Islas Canarias en la corona de Castilla* (Seville, 1983). For recent interpretive accounts of this period of Canarian history, see Alfred W. Crosby, *Ecological Imperialism: The Biological Expansion of Europe, 900–1900* (Cambridge, 1986), 70–103.

<sup>37</sup> Julio Rey Pastor and Ernesto García Camarero, *La cartografía mallorquina* (Madrid, 1960); Ruy González de Clavijo, *Narrative of the Embassy to the Court of Timour*, trans. C. R. Markham, Hakluyt Society Publications, Series I, no. 26 (London, 1859); Ruy González de Clavijo, *Embassy to Tamerlane*, trans. Guy Le Strange (London, 1928); Ruy González de Clavijo, *La route de Samarkand au temps de Tamerlan: Relation du voyage de l'ambassade de Castille a la cour de Timour Beg*, trans. Lucien Kehren (Paris, 1990). Francesco Balducci Pegolotti, *La Practica della Mercatura*, ed. Allan Evans (Cambridge MA, 1936); *El primer manual hispánico de mercadería (siglo XIV)*, ed. Miguel Gual Camarena (Barcelona, 1981); J. R. S. Phillips, *The Medieval Expansion of Europe* (Oxford and New York, 1988).

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